

FACE SHEET
FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING

JUN 26 1969

Office of Administrative Procedure

ENDORSED

APPROVED FOR FILING
(Gov. Code 11380.2)

JUN 26 1969

Office of Administrative Procedure

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: June 19, 1969

By: John C. Smith

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

JUN 26 1969

At 2:15 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: [Signature]
Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

44-101 INCOME DEFINITIONS (Continued)

44-101

AB .5 Earned Income

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.51 Earned income is income received in cash or in kind as wages, salary, commissions or profit from activities such as business enterprise, farming, etc., in which the recipient is engaged as a self-employed individual or as an employee.

ALSO

.52 Earned income includes:

.521 Earnings over a period of time for which settlement is made at one given time, as in the instance of sale of farm crops, livestock or poultry, other than sale of an entire holding. See Section 44-135.

.522 Returns from personal or real property, such as net income from rental of rooms, or board and room, if such returns result from an appreciable and continuous effort on the part of the applicant or recipient.

.523 Earnings under Title I of the Elementary and Secondary Education Act.

.524 Payments under the Economic Opportunity Act, including payments to beneficiaries of assistance under that Act through such programs as the Job Corps, the Neighborhood Youth Corps, New Careers and Concentrated Employment.

AFDC .525 Training incentive payments and work allowances under ongoing manpower programs, other than WIN, such as MDTA.

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44-101 INCOME DEFINITIONS (CONTINUED)

44-101

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.53 Earned income does not include:

.531 Loans and grants, such as scholarships, obtained and used
under conditions that preclude their use for current
living costs.

.532 Benefits (not in the nature of wages, salary, or profit)
accruing as compensation, or reward for service, or as
compensation for lack of employment (for example, pensions
and benefits, such as veterans benefits).

AFDC

.533 Incentive payments or earnings derived from participation
in Institutional and Work Experience Training or Special
Work Projects under the WIN program.

AFDC

.534 The expense allowance paid to recipient participants in
MDTA of \$10 per week. This allowance is applied against
the expenses of training in determining net income (see
Section 44-113.23).

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44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION AS INCOME
(Continued)

44-111

.2 Exemption of Earned Income - General

AFDC .23 Family Exemption

The first \$30 of the combined net earned income plus one-third of the remainder of such income of adults and children 14 and over who do not qualify for the student exemption (Section 44-111.24) is

exempt. For definition of "earned income", see Section 44-101.5. IF A PORTION OF EARNINGS IS GARNISHED, ATTACHED OR DEDUCTED BY COURT ORDER, SEE SECTION 44-113.2.

.231 The family exemption is computed by first deducting from each

person's gross earnings involuntary deductions by employers,
the standard allowance for food, clothing and incidentals, and
other actual expenses entailed in employment as defined in
Section 44-113.23. If there is more than one person whose earnings
are subject to the family exemption, the net
incomes are added together and the total is then
reduced by \$30 plus one-third of the remainder.

.232 The family exemption shall be applied to the income of the un-

married father or the man assuming the role of spouse living in the
home but not included in the family budget unit, since their earn-
ings are considered in determining the family's needs.

a. If the unmarried father or man assuming the role of spouse is
the only employed person in the family, he is allowed the full
exemption in determining income to the family budget unit.

b. If a member of the family budget unit is also employed, each
is allowed his proportionate share of the \$30 exemption plus
one-third of the remainder of his earnings.

.233 The earnings of an individual member of the family shall not be
subject to the family exemption for a month if within the period
of 30 days preceding such month he:

- a. Terminates his employment without good cause, or
- b. Refuses to accept a bona fide offer of employment without
good cause.

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44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION AS INCOME

44-111

AFDC .24 Student Exemption.241 All earned income of a child under 21 years old is exempt if:

- a. He is a full-time student, or
- b. He has a school schedule that is equal to at least one-half of a full-time curriculum, and he is not employed full time,

EXEMPTION.242 For purposes of this the following definitions apply:

- a. School attendance is defined as attendance in a school, college, or university, or in a course of vocational or technical training designed to fit the child for gainful employment and includes a participant in the Job Corps program under the Economic Opportunity Act.
- b. Part-time employment is defined as less than 173 hours per month.

.243 The student exemption applies to full or part-time earningsbetween school terms or during vacation periods,

if the child plans to continue to be a student next term or when the vacation period ends.

EXEMPTIONS NOT APPLICABLE

.25 Neither the family exemption nor the student exemption shall be applied in determining eligibility of applicant families unless in any one of the four preceding months the family's needs were met in whole or in part by an AFDC payment.

If the family is determined to be eligible for aid without these exemptions, the family and the student exemption is applied in determining the amount of the initial and subsequent aid payments.

CHILDREN UNDER 14

.26 No inquiry shall be made regarding earnings of children under 14 years of age.

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44-113 NET INCOME (Continued)

44-113

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.2 Earnings

Net earned income is that which remains after subtracting all necessary expenses incurred in the securing and retention of employment.

That portion of earnings which the employer is required by legal action to deduct from an employee's earnings, such as under garnishment, wage attachment and family support proceedings, is income which is not in fact available to the recipient and shall be disregarded PRIOR TO APPLICATION OF ANY EARNED INCOME EXEMPTION.

The appropriate method of determining net earned income shall be selected from those set forth below and the steps followed in the sequence indicated.

AFDC .23 Expenses of Earnings - AFDC

In order that the use of family income for NECESSARY expenses TO RETAIN employment will not reduce the money available to meet basic and special needs, such expenses SHALL be deducted from gross earnings as follows: (See section 44-111.23 for exemption to be applied against earned income.)

.231 Involuntary deductions made by the employer over which the employee has no control.

.232 Expenses for additional food, clothing and personal incidentals, ^{WORKING} allowed as a standard allowance according to the number of days employed during the month, as follows:

1 through 5 days:	\$ 6.00
6 through 10 days:	\$12.00
11 through 15 days:	\$18.00
Over 15 days:	\$25.00

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44-113 NET INCOME (Continued)

44-113

AFDC .233 The actual cost of other expenses which are MANDATORY
RETAIN
to employment. EXAMPLES ARE

- a. Transportation to and from the job and on the job if not
reimbursed by the employer, subject to conditions and
limitations in Section 44-114.
- b. Tools and licenses.
- c. Dues to unions,
or similar assessments WHICH ARE A CONDITION OF EMPLOYMENT.
- d. Necessary job-related educational or training expenses.
- e. Child care, when the caretaker is employed.
- f. Special safety devices not furnished by the employer.
- g. Telephone service. REQUIRED IN CONNECTION WITH EMPLOYMENT.

.234 Expenses of earnings do not include items often deducted at the request
of the employee but not mandatory to retain employment. Examples are:

- a. Credit union shares, savings bonds, voluntary retirement, or elective
profit sharing programs
 - b. Elective health insurance
 - c. Charitable contributions
 - d. Dues to organizations where membership is not a prerequisite to employment
 - e. Deductions for payments on consumer and other loans
- (See Section 44-113.2 regarding garnishments, etc.)

.235 When earnings are from self-employment or operation of a business,
the expenses in Items .232 and .233 are deducted with all other
normal items of expense incidental to receipt of the income.
However, principal payments are not allowed except for tools and
equipment essential to the employment.

.236 When an entire item of need in the itemized Cost Schedule is met
in kind as a result of service performed, the monetary value of
the item as shown in the Cost Schedule is income to the family.
The expenses in Items .232 and .233 are deducted with all other
normal items of expense incurred in securing the income to
determine the net income.

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FINDING OF EMERGENCY

The following revisions and repeals respectively of the regulations of the State Department of Social Welfare are emergency measures necessary for the immediate preservation of the public health, safety and general welfare within the meaning of the provisions of Section 11421(b) of the Government Code:

Public Social Services Regulations 44-101.5, 44-111.23, 44-111.24, 44-111.25, 44-111.26, 44-113.2 and 44-113.23, and Regulation 30-167.

The following facts constitute the emergency with respect to the action upon the regulations listed above:

1. Section 11266 of the Welfare and Institutions Code currently establishes that 50 percent of the earnings of a needy child under the age of 18 years shall not be considered as income to the family unit in determining the amount of assistance to be granted to the family unit. Section 11266 is repealed by Stats. 1968, Ch. 1406, effective July 1, 1969.
2. On July 1, 1969, Section 402(a)(8) of the Social Security Act becomes mandatory on the states. Under this section, states are required to exempt 100 percent of the earned income of each dependent child receiving Aid to Families with Dependent Children who is a student.
3. The revisions of the regulations of the Department of Social Welfare are required to insure maximum federal participation in the Aid to Families with Dependent Children Program.
4. Any failure to secure maximum federal participation in the program would increase the State's share of the cost in such programs and would, therefore, necessarily have an adverse effect on the public health, safety and general welfare of the people of this state.

The revisions and repeals described above must, therefore, be adopted as emergency measures effective July 1, 1969.

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30-215 LOCATION OF ABSENT PARENT(S)

30-215

.3 Use of Special Locator Services

YELLOW
 .31 The county welfare director shall assure notice of all absent parent situations to the Central Registry Locator Service (California Department of Justice) by means of the master file card within ten working days following receipt of an AFDC application on behalf of any child (see Sections 30-215.5 and 29-300).

.32 When information from the Central Registry is needed, a single request on behalf of the county shall be made on form CII-60 (pink) either by the district attorney or by the county welfare department, in accordance with the plan of cooperation. Every effort should be made to avoid duplication. See subsection 215.532b.

Local means for locating the absent parent should be used whenever feasible. Requests for information relative to AFDC absent parents should be addressed to the Locator Service on a selective rather than a routine basis, to avoid unnecessary workload demands which will reduce the effectiveness of the Locator Service.

.532 "Unknown" means that the county welfare department has taken appropriate action to locate the absent parent but has been unable to learn where he is either living or working.

An absent parent's whereabouts must be considered unknown when the county welfare department has been unable to verify his employment or residence within forty-five days from the date the application for public assistance was signed.

When the whereabouts of the absent parent is unknown, the Child Support Unit:

- a. Shall complete and forward a yellow master file card to the Central Registry within ten working days, and
- b. Shall assure that a request for information (CII-60) is sent to the Central Registry on behalf of the county, either by the district attorney or by the county welfare department, as provided in the plan of cooperation (Section 30-214.3). Such requests should be made on a selective rather than a routine basis. Only one Form CII-60 need be made by the county. If a file copy of the Central Registry's response is needed, it should be directed to the county agency which made the original inquiry to the Central Registry.

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FINDING OF EMERGENCY

The revisions of the regulations of the State Department of Social Welfare contained in Sections 30-215.32 and 30-215.532b of the Public Social Services Manual are emergency measures necessary for the immediate preservation of the public health, safety and general welfare within the meaning of the provisions of Section 11421(b) of the Government Code.

The following facts constitute the emergency:

1. Following the adoption of the present regulation, it appeared that duplicate requests for information from Central Registry on form CII-60 (pink) were frequently made by the offices of district attorneys and county welfare departments. Also formal requests to Central Registry were made on a routine basis when there were local means to obtain the same information.
2. The revisions of the regulations listed above are required to eliminate the costly duplication, waste, confusion and delay resulting from the practices possible under the current system.
3. The failure to eliminate as promptly as possible duplication, waste, confusion and delay would be costly to the administration of the Aid to Families with Dependent Children program and would, therefore, necessarily have an adverse effect on the public health, safety and general welfare of the people of this state.

The revisions described above must, therefore, be adopted as emergency measures effective July 1, 1969.

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30-167 SERVICE-CONNECTED EXPENSES (WIN, ETP, SRS)

30-167

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- .1 Service-connected expenses, i.e., direct expenses to persons required to enable their participation in a WIN, ETP or SRS activity, shall be met in full.
- .2 Expenses which shall be allowed include:
- in accord with Section 44-114. This includes
- .21 Transportation expenses, the operating cost of an auto, the cost of car insurance and registration fees, and car payments if car payments are essential to enable a plan of participation in WIN, ETP, or an SRS formalized activity-centered (workshop) activity or other full-time group activity project and no other feasible plan of transportation is available;
- .22 Cost of child care, i.e., day care or in-home care of children;
- .23 Cost of essential items not provided by other agencies as part of the training of the individual;
- .24 Cost of medical treatment or appliances, to the extent that such costs are essential to realization of the purposes of the plan and cannot be met from other resources; and
- .25 Additional costs of lunches, clothing, grooming and incidental expenses, which shall be allowed as follows:
- .251 A standard, flat allowance according to the number of ^{days in training or} ~~working~~ days employed in the month, as follows:
- | | |
|---------------------|---------|
| 1 through 5 days: | \$ 6.00 |
| 6 through 10 days: | 12.00 |
| 11 through 15 days: | 18.00 |
| Over 15 days: | 25.00 |
- .252 For persons engaged in an SRS activity other than that specified in Section 30-167.251 above, a reasonable amount shall be allowed which reimburses the recipient for the actual additional costs required to enable participation in the particular SRS activity.
- .3 Service-connected expenses for WIN, ETP and SRS shall be met only from administrative funds.

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Dated: June 19, 1969

By: 

Director

(Title)

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By 
Assistant Secretary of State

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These regulations do not contain any building standards.

31-203 PLAN REQUIREMENTS

31-203

.2 The county plan for ETP shall include the following:

.21 When a county expects to provide ETP to ten or more persons, written concurrence shall be obtained from the SDSW prior to the initiation of training. The request for concurrence shall include a statement that:

.211 Consultation has been obtained from the local office of the CDE in relation to selection of jobs for which a predictable market exists.

.212 The local CDE office agrees that there is little likelihood that WIN assignments will be available for potential trainees within the next three months.

.213 WIN assignments will be given priority over ETP assignments.

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AFDC/ 44-114 DETERMINATION OF WORK RELATED TRANSPORTATION EXPENSES 44-114

Expense for transportation to be allowed in determining net income from earnings shall be related to the most feasible means available to the individual recipient, as determined by the county welfare department. Such factors as distance from the job, hours worked, availability and accessibility to public transportation, child care arrangements, and job requirements must be considered in making a decision concerning the most feasible means of transportation.

.1 Transportation by Common Carrier

Average monthly costs of transportation by common carrier shall be allowed as an expense of employment.

.2 Transportation by Private Vehicle

The cost of transportation by private vehicle shall be allowed when transportation by private vehicle is the most feasible means available. The amount allowed shall reimburse the recipient for actual costs of operating the vehicle and, if necessary, the purchase of an appropriate vehicle, subject to conditions and limits specified in Section 44-114.2 and not to exceed the overall maximum in Section 44-114.4.

.21 Basic operating and maintenance costs for gasoline, oil, normal lubrication ^{tires} and minor repairs shall be the amount as shown on the chart in Section 44-114.221.

.211 Monthly Operating and Maintenance Cost

<u>Miles traveled per month</u>	<u>Allowance at rate of 4¢ per mile</u>
Less than 175 miles	\$ 6.00
175 - 224	8.00
225 - 274	10.00
275 - 324	12.00
325 - 374	14.00
375 - 424	16.00
425 - 474	18.00
475 - 524	20.00
525 - 574	22.00
575 - 624	24.00
625 - 674	26.00
675 - 724	28.00
725 - 774	30.00
775 - 824	32.00
825 - 874	34.00
875 - 924	36.00
925 - 974	38.00
975 - 1,024	40.00
For each additional 50 miles	Add \$ 2.00

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44-114 DETERMINATION OF WORK RELATED TRANSPORTATION EXPENSES (cont.) 44-114
AFDC

.22 Other essential costs shall be allowed:

.221 When transportation is an expense of employment, as a flat amount of \$25 per month; or

.222 When transportation is a service-connected expense or a special need, either as a flat amount of \$25 per month, or as actually needed up to a maximum of \$25 per month proratable on a monthly basis to enable the actual cost to be met. The county shall determine the method of payment, taking into consideration the preference of the recipient, if feasible, and the practicality of repair in relation to the value of the vehicle or the cost of its replacement.

.223 For purposes of this section, examples of "other essential costs" are:

- a. The cost of replacement of adequate battery, generator, brakes and other items essential to safe and practical operation, including full amount for cost of repairs when the cost of repairs during the month exceeds \$5.00.
- b. The cost of ^{the} vehicle registration and license fee.
- c. The cost of premiums for minimum public liability and property damage insurance as required for the recipient or operator of the vehicle if other than the recipient.
- d. The cost of parking lot fees.

.23 The cost of purchasing a vehicle shall be allowed subject to the following conditions:

.231 The total amount allowed for monthly or other payments on the purchase price of a vehicle, exclusive of the costs enumerated in 44-114.232, shall not exceed \$770. This amount shall include the trade-in allowance for the vehicle being replaced.

.232 The amount allowed for the purchase of a vehicle, in addition to the purchase price, shall include the actual cost to the recipient of sales tax, transfer fees, contract service charges and initial insurance premium if required.

The county welfare department shall take appropriate action (a) to encourage recipients who must purchase a vehicle while in receipt of aid to do business with reputable dealers, and (b) to offer such recipients a written guide or counseling service on what to look for when buying a vehicle.

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44-114 DETERMINATION OF WORK RELATED TRANSPORTATION EXPENSES (Continued) 44-114
AFDC

.3 Transportation by Means Other than Common Carrier or Own Vehicle

Average monthly
costs of transportation by means other than common carrier or
own vehicle such as a car pool, relative or neighbor, shall be
allowed as an expense of employment.

.4 Maximum Allowance

The total amount allowed for transportation, exclusive of
operation and maintenance (Section 44-114.21) shall not exceed
\$ 75 per month.

.5 Implementation

.51 The provisions of Section 44-114 shall be implemented as soon as fiscally
feasible after the effective date of the regulations and shall be
fully operative for all cases with transportation expenses by not
later than July 1, 1970.

.52 The dollar limitations in Sections 44-114.22, 44-114.231 and
44-114.4 shall not be applicable with respect to obligations and
agreements incurred and made by any county welfare
department with a recipient before the effective date of these
regulations or their implementation by the county currently responsible
for the payment of aid.

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CHAPTER 30-300 OUT-OF-HOME SERVICES FOR CHILDREN

30-301 OBJECTIVES

30-301

For children who cannot remain in their own homes, to provide temporary or long-term 24-hour placement, care, protection or treatment in emergency shelter care, foster family care, group care, institutional care or residential treatment facility. (See Section 10-051.5.)

30-302 SERVICES TO CHILDREN, PARENTS, AND FOSTER PARENTS WHEN
FOSTER CARE IS REQUESTED

30-302

- .1 Where AFDC in foster care is requested and no other agency is providing a placement service, the county shall assist the responsible relative or other person by providing placement services.

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30-303 DEFINITION

30-303

- .1 Out-of-home services for children are planned activities, based on a careful study of the circumstances to:
- .11 determine whether 24-hour foster care is necessary; and
 - .12 if needed, to determine the needs of the particular child;
 - .13 select and provide a foster care program that will meet the needs of the particular child and strengthen the own parent's relationship with the child;
 - .14 assist foster parents and institutional staff to provide the best possible care and treatment;
 - .15 assist the child in his use of foster care;
 - .16 to work toward the child's return home or, when indicated, refer for other types of care.

30-305 PERSONS SERVED

30-305

Persons eligible for this service are:

- .1 Children who meet either state or federal eligibility requirements for AFDC.
(Secs. 10-071)
- .2 Effective July 1, 1969, children eligible as former or potential recipients. (See 10-072)
- .3 Non-aided, non-AFDC-linked children who live in a county which has a state approved plan to provide out-of-home services to such children (see 10-073).

30-307 CHILDREN PLACED

30-307

Children for whom the county is responsible for providing placement plans are children in need of 24-hour foster care; either temporarily in an emergency or over a period of time.

- .1 Children whose parents or guardian have voluntarily entered into a plan with the county welfare department for the child's placement in foster care, or
- .2 Children in need of foster care when court action has removed the child from the custody of the parent or guardian, or limited the parent's or guardian's responsibility for the care and control of the child.
- .3 Children relinquished for adoption requiring long term foster care because an adoptive home has not yet been found or the child is not ready for adoption.

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30-309 COUNTY WELFARE DEPARTMENT RESPONSIBILITIES

30-309

It is the county's responsibility to:

- .1 Use professionally trained and experienced social work staff to the maximum extent practical in the placement and supervision of children in foster care.
- .2 Provide services (i.e., counseling, homemaker, day care, etc.), to improve conditions in the child's own home aimed at:
 - .21 Preventing the need for placement
 - .22 The early return of the child to his own home when placement is necessary.
- .3 Explore and assess opportunities for the child in relative's homes when he must leave his own home.
- .4 Establish realistic foster care rates which will provide suitable homes and group care facilities (See 11-220)
- .5 Assure that only licensed foster homes and group care facilities are used for placement of children under age sixteen (16).
- .6 Assure that when a child under age 16 is granted AFDC while in placement in an unlicensed foster home or group care facility, the county shall immediately determine if the home or group facility can be licensed. If the home or facility does not meet licensing standards, a new plan shall be made to provide care for the child. (See Sec. 30-317 for responsibility to child over age 16.)
- .7 Make provision for shelter care for children requiring temporary emergency care outside their own home through direct operation, purchase of care, or use of community facilities.
- .8 Assure that no child shall be removed from his own home by the county welfare department without consent of parent or guardian, or an order of the court.
- .81 In counties in which there is an agreement with law enforcement officials, whenever a child is found alone but not in danger, placement may be made by a county worker and followed immediately by notification to such officials that such action has been taken (W&I Code 57615).

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30-309 COUNTY WELFARE DEPARTMENT RESPONSIBILITIES (Cont.)

30-309

- .9 Provide that the child in foster care and his parents be visited at least once a month, except where there is a recorded caseworker decision that less frequent visits are indicated.
- .10 Provide for periodic review at least every six months of the necessity for the child to remain in foster care. The case record must clearly show:
- .51 The assessment of the suitability of the plan;
 - .52 The need for the child to continue in foster care; and
 - .53 The possibility of the child eventually returning to his home or being placed in the home of a relative.
- .11 Provide follow-up service when a child is returned to his own home or placed in the home of a relative, to assist the family and child to adjust and prevent the recurrence of circumstances that led to placement.
- .12 Assure that services to AFD C children and to nonaided children are the same.
- .13 Assure that the special needs of children in foster care, and of their families, are allowed in accord with Section 44-271.
- .14 Recruit, study and select boarding homes for children and other facilities (children's institutions, residential treatment centers, etc.) required by the agency to meet the varied needs of children under care.
- .15 Submit annually to SDSW, as part of its overall services plan, its plan for provision of out-of-home services in accord with procedural guides promulgated by SDSW (see Sec. 10-207).

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Effective August 1, 1969

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

30-311 PROGRAM SERVICES

30-311

County Welfare Departments are responsible directly for utilizing all appropriate public and private social services to develop a plan for the care of the child that:

.1 Serves children through:

- .12 Using all services available to improve parental functioning and improve home conditions so that adequate care may be provided, thus alleviating the need to remove the child from his own home.
- .13 Determining on a casework basis that there is or is not a need for the child to be placed in 24-hour foster care and referral to other services when they are indicated in place of foster care.
- .14 Developing a plan for care that protects the child, and is suited to the child's needs, and affords him maximum opportunity for development of a healthy personality.
- .15 Providing counselling services to the child that assists him in understanding the reasons for foster care when such care is needed and helps him handle in a healthy manner the emotional reactions and problems attendant upon removal from his own home and continued placement.
- .16 Assisting in the maintenance of the child's ties and relationships with parents and other family members.

.2 Assists Parents:

- .21 to maintain their roles as parents to the fullest extent possible in all planning and decisions affecting the welfare of their children;
- .22 to understand and function within the conditions prescribed by the placement agreement with the county welfare department, the orders of the court, or the arrangements by the welfare department with other agencies.
- .23 to pursue their rights, with help when needed, in locating and using assistance and representation;

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(Pursuant to Government Code Section 11380.1)

30-311 PROGRAM SERVICES (Continued)

30-311

- .24 to participate appropriately in the placement of their children and maintain continuing relationships and ties with their children during placement to the extent that such relationships are not detrimental to the child and his placement;
- .25 to assist their children to use the placement experience constructively.
- .3 Assists Foster Parents:
 - .31 to increase their knowledge and ability to care for children by providing educational opportunities to them;
 - .32 to understand the responsibilities, objectives and requirements of the agency in relation to the children in their care;
 - .33 to provide to the children the nurture, care, and training suited to their individual needs;
 - .34 to encourage the maintenance of parent-child relationships;
 - .35 to participate appropriately in the treatment of children with special problems;
 - .36 to understand that corporal punishment is prohibited and to assist them in developing constructive alternative methods of discipline;
 - .37 to facilitate termination of placement when no longer needed or desirable.
- .4 Allows for periodic review and development of alternative plans for care as needed by:
 - .41 a continuing social study of the child which explores and assesses the appropriateness of the plan to the present needs of the child;
 - .42 effectuating plans for placement with relatives when in the best interests of the child and assisting the relatives to understand the child and his needs and to provide to the child a satisfying home life and meaningful personal relationship;

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CONTINUATION SHEET
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(Pursuant to Government Code Section 11380.1)

30-311 PROGRAM SERVICES (Continued)

30-311

- .43 referring when indicated to appropriate programs or agencies for appropriate types of foster care; i.e., children's institutions, residential treatment centers;
- .44 assisting older children to self-maintenance by planning for living arrangements, planning and arranging for further education, vocational training or employment and helping them to deal with personal problems and difficulties in their progression toward self-maintenance.
- .45 continuing at least monthly assessment for a reasonable period of the appropriateness of the placements with relatives and for older children living independently and providing assistance, as needed, in making these plans for care more effective; and,
- .46 making other plans for care when any of these alternatives have proved to be unsatisfactory or are no longer available to the child.
- .47 making referrals to adoption when indicated.

30-313 AGREEMENTS WITH FOSTER PARENTS

30-313

The county shall have on file a written agreement with foster parents for each child placed. This agreement shall include: rates of payment, items and services covered by payment, the responsibilities of the county and the foster parents to each other and to the child.

30-315 HOMES OF RELATIVES

30-315

The county shall make initial and continuing evaluations of the homes of relatives where children are placed to assure that the home can give proper care and treatment and can meet the needs of the particular child.

30-317 CHILDREN OVER 16

30-317

When a child beyond the age requiring placement in a licensed home is placed, the worker shall assure that the home or facility meets the physical, social and psychological needs of the child.

CONTINUATION SHEET
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WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11180.1)

30-319 RELATIONS WITH GROUP CARE FACILITIES

30-319

- .1 The county shall develop knowledge of the programs and policies of the various group care facilities available to it so that the county may use them appropriately.
- .2 The county shall develop cooperative relationships with group care facilities:
 - .21 to determine charges for care in accordance with the method specified in Section 11-223;
 - .22 to determine what services (social work, work with families, medical, psychiatric) will be provided by the facility.
The county shall provide^{or arrange for the provision of} those needed services not available in the group care facility;
 - .23 to provide the facility with understanding of the background and needs of the individual child;
 - .24 to assure that the facility will provide the county department with periodic reports on the child's progress and its work with the family;
 - .25 to assure cooperative treatment during the child's placement in the facility and collaboration on discharge and planning for after care.

30-321 COURTS

30-321

The county department shall develop cooperative relationships with the courts and probation departments clearly defining the responsibility of each in the care of children needing foster care.

- .1 The county department shall:
 - .11 provide information (in keeping with the confidentiality of public assistance records and W&I Code Section 10850), evaluations, and recommendations for the court's use in determining its actions in regard to individual parents and children;
 - .12 participate appropriately in carrying out the court's orders;

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30-321 COURTS (Continued)

30-321

- .13 report developments to the court when appropriate;
- .14 assist the court to arrive at decisions and actions appropriate to the child and family;
- .15 provide for a method of assuring that dependent children placed under the supervision of the probation department, but with county welfare department funding costs of care, are receiving the services spelled out in this chapter. This shall be based on a written agreement between the county welfare department and the probation department. (Secs. 44-323.4 and 29.405)

30-323 SHELTER CARE

30-323

- .1 County departments shall either provide directly or assure that there is available shelter care for children in need of temporary, emergency care outside their own homes.
- .2 Use alternative plans, such as homemaker service, to avoid the placement of the child whenever possible.
- .3 Provide services to help the child understand and handle the emotional experience of emergency placement.
- .4 Provide services to assure that long term plans (return home, to home of relative, foster care) be made and carried out at the earliest possible date.

30-325 COMMUNITY PLANNING

30-325

The county department shall encourage community planning to meet the needs of children by:

- .1 Continuously interpreting the needs of children.
- .2 Interpreting the particular needs of children in foster care.
- .3 Encourage and assist community groups to develop and expand:
 - .31 services that help improve parenting functions, thus reducing the need for foster care;
 - .32 facilities that can provide care and services to children needing foster care;
 - .33 community services and activities beneficial to children.

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(Pursuant to Government Code Section 11380.1)

30-327 STAFF DEVELOPMENT

30-327

The staff development plan submitted by the county under Section 10-221 shall make provision for special induction training and continuing training to the staff providing out-of-home care.

30-329 CASELOAD STANDARDS

30-329

Each child in foster care, with services provided by the county welfare department shall count as one case. (Cases where entire service is provided by probation are not subject to services caseload standards, but provision must be made to ensure that services are provided (see 30-321.15). In establishing caseloads, they shall be adjusted to meet the extra needs of children during the first three months of placement.

- .1 As of October 1, 1969, the caseload shall not exceed an average of 55 cases per worker.
- .2 As of July 1, 1970, the caseload shall not exceed an average of 45 cases.
- .3 As of July 1, 1971, the caseload shall not exceed an average of 40 cases.
- .4 As of July 1, 1972, the caseload shall not exceed an average of 35 cases.

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Effective August 1, 1969

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WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

44-133 TREATMENT OF INCOME - AFDC (Continued)

44-133

AFDC .6 Income Received By the County, From An Absent Parent on Behalf of a Child

- .61 All payments for child support for children receiving public assistance, collected by a county official or agency from an absent parent shall be forwarded to the county welfare department and used for the support of the child(ren). The county shall inform the family in writing of support provided by the absent parent and the disposition of the payment with respect to the AFDC budget.

Effective 8/1/69

FACE SHEET
 FILING ADMINISTRATIVE REGULATIONS
 WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING

JUN 26 1969

Office of Administrative Procedure

ENDORSED

APPROVED FOR FILING
(GOV. CODE 11380.2)

JUN 26 1969

Office of Administrative Procedure

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Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: June 19, 1969

By: *John C. M. L.*

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

JUN 26 1969

At 2:15 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By: *[Signature]*
Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

Public
 ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
 Regulations OBJECTIVES AND DEFINITIONS 10-007

Public
 DIVISION 10 ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES

CHAPTER 10-000 OBJECTIVES AND DEFINITIONS

10-005 OBJECTIVES

10-005

The objectives of Public Social Services are:

- .1 Achievement and maintenance of reasonable standards of living and health.
- .2 Attainment or retention of the maximum degree of self-care within the capabilities of each individual.
- .3 Attainment or retention of the maximum degree of self-support within the capabilities of each individual.
- .4 Preservation, rehabilitation, or strengthening individual or family functioning.
- .5 Prevention of or remedy for neglect, abuse or exploitation of children or adults.

10-007 DEFINITIONS

10-007

.1 Objective

A statement of a condition to be attained, a target towards which a specific activity is directed.

.2 Program

An administrative aggregate of services and resources.

Effective 7/1/69

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(Pursuant to Government Code Section 11380.1)

10-007 DEFINITIONS (CONTINUED)

10-007

.3 Public Social Services

Activities and functions of state and local governments administered or supervised by the Department and involved in providing aid or services or both to those people of the state who, because of their economic circumstances or social conditions, are in need thereof and may benefit thereby.

.31 Service

Activities undertaken in carrying out the required and recommended programs listed in Chapter 10-050 of this Division.

.32 Income Maintenance

Activities undertaken in determining eligibility for and granting benefits available through the categorical assistance and Medi-Cal programs; activities directed toward assisting individuals to obtain income and to meet subsistence needs from other resources (e.g., Social Security, Veteran's Administration, relatives, pension plans, food stamps, etc.).

*State Disability Insurance,
Workman's Compensation,*

Effective 7/1/69

CONTINUATION SHEET
 1 FILING ADMINISTRATIVE REGULATIONS
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 (Pursuant to Government Code Section 11380.1)

Public

Regulations ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES 10-032
 COUNTY RESPONSIBILITY FOR SERVICES

CHAPTER 10-030 COUNTY RESPONSIBILITY FOR SERVICES

10-031 ORGANIZE AND ADMINISTER TO MEET OBJECTIVES 10-031

- .1 The basic responsibility of the county welfare director is to organize, staff and administer the county welfare department so as to best achieve each of the objectives stated in Section 10-005.
- .2 The county welfare director shall provide for the administration of public social services according to the description in the approved county plan (submitted in accordance with Section 10-207).

10-032 FAMILY AND CHILDREN'S SERVICES ADVISORY COMMITTEE 10-032

- .1 The county welfare director is responsible for establishing and working with an advisory committee relating to both policy development and program implementation of the AFDC and CWS programs.
- .2 The committee must include representatives of other local public agencies concerned with Services; recipients of assistance or services or representatives of such recipients (who must constitute at least one-third of the membership of the Advisory Committee); representatives of professional, civic or other public or private organizations; and private citizens interested and experienced in Service programs. Recipients or their representatives must be selected in a manner that will assure that they are representative of the total recipient population.
- .3 The county may integrate existing advisory committees within the Family and Children's Services Advisory Committee, and may designate to all or part of the Advisory Committee the functions of the required Day Care Advisory Committee (see Section 30-354). In either event, the day care advisory group must have at least one-third of its membership drawn from recipients or recipient representatives.
- .4 Financial arrangements must be made so as to make it possible for recipients to participate in the work of the Advisory Committee.
- .5 Adequate staff assistance must be provided to the Advisory Committee to enable it to make effective judgments of the family and children's services.

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(Pursuant to Government Code Section 11380.1)

Public
ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
COUNTY RESPONSIBILITY FOR SERVICES Regulations

10-033

10-033 UTILIZATION OF PUBLIC AND PRIVATE AGENCIES

10-033

- .1 The county welfare department is responsible for assuring that efforts of the staff of the county welfare department are such as to achieve maximum utilization of and coordination with other public and private agencies which provide services comparable or related to public social services, that the use of such agencies will be based on a determination that services can in that way be provided more effectively or without significant additional cost, and that services provided by such other agencies will meet program standards established for public social service.

10-034 USE OF PUBLIC AND PRIVATE AGENCIES AND INDIVIDUALS AS SERVICE CONTRACTORS

10-034

.1 Objectives

The county welfare department is authorized to provide services in appropriate cases by purchase, contract or cooperative arrangement from other State or local public agencies, from nonprofit or proprietary private agencies or organizations, or from individuals, for all eligible persons (see 10-070). Such arrangements have as their objective the supplementation of public social services provided by county welfare departments; extension of the range of available services; and provision of opportunities for recipients to exercise choice with regard to the source of purchased service.

.2 Services Subject to Purchase, Contract or Cooperative Arrangements

Services subject to purchase, contract or cooperative arrangements include the required services included in 10-051, and the recommended ETP and homemaker services included in 10-053.3 and 10-053.6.

.3 General Requirements for Contracting

- .31 There shall be maximum utilization of and coordination with other public and private agencies providing services related to those provided under the county plan, where such services are available without cost. (See 10-034.4 and 10-034.5 for additional limitations on purchase.)

- .32 Counties shall give thorough consideration to the use of other public and private agencies as services contractors in appropriate cases. Use of such agencies shall be based on:

.321 A determination that required program standards will be met.

.322 A comparison of the effectiveness with which the services are likely to be rendered.

.323 The anticipated cost thereof.

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Public

ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
Regulation COUNTY RESPONSIBILITY FOR SERVICES 10-034 (Cont.)

10-034 USE OF PUBLIC AND PRIVATE AGENCIES AND INDIVIDUALS AS SERVICE CONTRACTORS (Continued) 10-034

.33 The plan for the use of services contractors shall be included as part of the public social services plan and annual report. It shall be specific in its description of the services to be provided or purchased, the persons to whom they will be available and the manner of providing them.

.34 All contracts or agreements for purchase of services shall be in writing and shall, when completed, be placed on file in the county welfare department and readily accessible for public review on request.

4 Purchase of Vocational Rehabilitation Services

Services authorized under the Vocational Rehabilitation Act shall be obtained from the State vocational rehabilitation agency when that agency is willing and able to provide them. They may be purchased from another source only when they are not obtainable from the State Vocational Rehabilitation Agency.

5 Exclusions from Reimbursement

Payments for subsistence (including payments for foster care), i.e., items of individual or family need normally included as basic or special needs in assistance payments (see 44-265.2), and medical or remedial care are not subject to reimbursement as services costs.

.51 Services purchased may include subsistence and medical care items when they are provided as essential components of a comprehensive service program of a facility and their costs are not separately identifiable (e.g., in a rehabilitation center or a day care facility).

.52 Services purchased may include medical and remedial care and services as part of family planning services and required medical examinations for persons caring for children under welfare department auspices when not otherwise available.

6 Standards for Services Contractors

The county welfare department shall assure that the sources from which services are purchased either:

.61 Are licensed;

.62 Are approved as meeting State licensing standards.

.63 Meet applicable accrediting standards.

.64 Meet standards or criteria established by or acceptable to the State agency to assure quality of services, including standards appropriate for services provided by new self-help groups and other organizations for which licensing or accrediting do not exist.

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Public

10-034 (Cont.) ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
COUNTY RESPONSIBILITY FOR SERVICES Regulations

10-034 USE OF PUBLIC AND PRIVATE AGENCIES AND INDIVIDUALS AS SERVICE CONTRACTORS (Continued) 10-034

.7 County Responsibility for Purchase of Services

.71 The county welfare department shall retain continuing, basic responsibility for:

.711 The eligibility of individuals for services.

.712 The authorization, selection, quality, effectiveness, and execution of a plan or program of services suited to the needs of an individual or group of individuals.

.713 The development of criteria for determining under what circumstances and for how long the service will be provided by the service contractor.

.714 The preparation at least annually of a written record of the performance of service contractors, both qualitative and quantitative, which shall be readily available for SDSW review.

.72 The county welfare department shall assure that the regulations and requirements governing services programs are applicable to the purchase of service, including:

.721 Provision for fair hearings and grievances.

.722 Safeguarding of information.

.723 Protection of civil rights.

.724 Financial controls.

.725 Reporting procedures.

.726 Provision of opportunity for recipients to exercise choice with regard to source of purchased service.

.73 The county welfare department shall assure the progressive development of arrangements with a number and variety of agencies and other sources.

.731 The county welfare department shall work with service suppliers to maintain and improve the quality of services by providing consultation and technical assistance, periodically reviewing performance, and helping develop new and more effective approaches and methods of delivering purchased services.

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(Pursuant to Government Code Section 11380.1)

Public

ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
Regulations COUNTY RESPONSIBILITY FOR SERVICES 10-035

10-034 USE OF PUBLIC AND PRIVATE AGENCIES AND INDIVIDUALS AS SERVICE CONTRACTORS (Continued) 10-034

.8 Rates of Payment

Provision shall be made for the establishment of rates of payment for purchase of service which shall be a matter of public record.

.81 Such rates shall not exceed the amounts reasonable and necessary to assure quality of service.

.82 When services are purchased from other public agencies, the rate of payment shall be in accordance with the cost reasonably assignable to such services.

.83 The rate shall be based on consideration of full cost of the services.

.84 The methods used in establishing and maintaining rates for purchase of service shall be described.

.85 The information on which rates for purchase of service are based shall be maintained in accessible form.

10-035 DEVELOPMENT OF COMMUNITY RESOURCES 10-035

.1 The county welfare director is responsible for initiating and participating in efforts to develop additional community resources which are necessary to the achievement of public social service objectives.

.2 A current file of community resources available for the utilization in case planning shall be accessible to staff. Referral practices shall be formalized and disseminated to staff so that necessary community resources can be brought to bear for the benefit of the client.

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(Pursuant to Government Code Section 11380.1)

Regulations

Public
ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
SERVICE PROGRAMS - GENERAL

10-051 (Cont.)

CHAPTER 10-050 SERVICE PROGRAMS - GENERAL

10-050 SERVICE PROGRAMS - GENERAL

10-050

The county welfare director shall make provisions in accordance with the county plan, approved by the SDSW for the delivery of those Services needed to achieve the objectives of public social service either:

- 1 By staff of the county welfare department, including Services provided by volunteers; or
- 2 By purchase, contract or other cooperative arrangements with public or private agencies or individuals.

10-051 REQUIRED SERVICE PROGRAMS - ALL COUNTIES

10-051

Each county welfare director shall make provision in the county plan and budget for all of the following services to be available in accordance with applicable definitions and standards:

1 Information and Referral Services

To disseminate information about and assist persons in securing needed social, rehabilitative, health, employment, and other services. (See Chapter 30-000)

2 Protective Services

.21 For adults, to remove or prevent danger resulting from unsafe or hazardous living conditions, neglect or exploitation, or limitations in the individual's ability to act in his own behalf or to manage his own affairs. (See Chapter 30-050.)

.22 For children, to protect neglected, abused, exploited, or potentially delinquent children by providing social services to preserve the children's own home, wherever possible, or if this is not possible, by providing adequate substitute care, thereby reducing or forestalling the need for action by law enforcement agencies.

3 Employment, and Social Rehabilitation Services

To evaluate and refer all appropriate AFDC recipients to the Work Incentive Program or to other employment and training resources, and to provide such supportive social services including child care (in home or day care) to those referred and to their families as are required to assist them to effectively utilize these resources to achieve self-support; for appropriate persons in all categorical aid programs, to provide or arrange other specialized rehabilitation and activities programs which in concert with other services are directed to improvement of social functioning and adjustment. (See Chapter 30-150.)

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10-051 (Cont.)

ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
SERVICE PROGRAMS - GENERAL

Regulation

10-051 REQUIRED SERVICE PROGRAMS - ALL COUNTIES (Continued)

10-051

.4 Services to Strengthen Individual and Family Life

- .41 To provide directly or by arrangement appropriate services to families, family members and individuals living alone, to help them when necessary and to the maximum extent possible to achieve improved social functioning and adjustment; maintain and strengthen family life; reunite families in which parents are separated, or where appropriate, to assist such families to maintain or resume relationships between child and separated parent; reduce births out of wedlock; promote adequate child care and development; obtain education to the extent of their desires and abilities; achieve self-care and personal independence; achieve effective management of available financial resources. (See Sections 30-200 through 30-206.)
- .42 To secure financial support for children through a Child Support Service which establishes the paternity of a child born out of wedlock; locates absent parent(s); determines an absent parent's ability to provide support for a child in accordance with the parent's ability; and secures compliance with support agreements and court orders. (See Section 30-210, et seq.)

.5 Out-of-Home Services

- .51 For adults who cannot remain in their own homes or other independent setting, to provide placement, care, and supervision in a foster family setting, group care or nonmedical or medical facility. (See Chapter 30-250.)
- .52 For children who cannot remain in their own homes, to provide temporary or long-term 24-hour placement, care, protection or treatment in emergency shelter care, foster family care, group care, institutional care or residential treatment facility. (See Chapter 30-300.)

.6 Day Care Services - Children

To provide protection, care, and developmental experiences, in a group facility or in family day care homes, for children or preschool and school age, usually living in their own homes, whose parents or caretakers need help in making child care arrangements for part of the day when they are at work, engaged in vocational training, or are away from the home for other reasons, and for children with special needs. (See Chapter 30-350.)

.7 Health Care Services

To provide for identification of need for preventive and remedial medical services, to assist parents, children, the aged, blind and disabled to locate organizations or individuals who are willing and able to provide medical and related health services of reasonable quality on a dignified basis, and to help such persons and families solve problems which may prevent them from obtaining needed medical services and from making optimum use of the services available. (See Chapter 30-400.)

.8 Family Planning Services

For persons requiring assistance, and on a voluntary basis without regard to marital status, to provide counseling and educational services, and referral for medical advice and services with respect to child spacing, fertility, and sterility. (See Chapter 30-450.)

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

Regulations

Public
ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
SERVICE PROGRAMS - GENERAL

10-053
(Cont.)

10-053 RECOMMENDED SERVICE PROGRAMS

10-053

Each county welfare director shall take into consideration in the county plan the need for and the possibility of making the following services available to persons in need of public social services:

.1 Adoption Services

To provide children for whom adoption appears to be the best plan with a permanent home and new parents, with the same mutual rights and responsibilities as exist in natural parent-child relationships, including service of the natural parents, study and evaluation of the child and his needs; arranging for care of the child prior to adoptive placement; recruiting, studying and selecting adoptive homes; providing adoption placement and post placement services until adoption is legally consummated. (See Title 22, Division 2, California Administrative Code, Chapter 4.)

.2 Licensing Services

To provide inspection, evaluation, license and continued supervision of 24-hour and day care homes for adults and children, including residential care homes for the aged, foster family homes, family day care homes, and parent-child homes. (See Title 22, Division 2, California Administrative Code, Chapter 6.)

.3 Educational Training Program

To provide viable programs of education and training operated or administered by the county welfare department which have the objective of preparing AFDC recipients for employment until such time as the Work Incentive Program is fully operative and of sufficient scope and size to accommodate all appropriate and eligible for enrollment. (See Chapter 31-200.)

.4 Child Welfare Services

To provide all necessary services for the child and its family, without regard to financial need, legal residence, social status or religion,
(1) to prevent, remedy or assist in the solution of problems which may result in the neglect, abuse, exploitation or delinquency of children;
(2) to protect and care for homeless, dependent or neglected children;
(3) to protect and promote the welfare of children of working mothers;
and (4) to otherwise protect and promote the welfare of children including the strengthening of their own homes, where feasible, or where needed, the provision of adequate care of children away from their homes in foster family homes or day care or other child care facilities. (See Chapter 31-250.)

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(Pursuant to Government Code Section 11380.1)

Public

10-053 (Cont.)

ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES

SERVICE PROGRAMS - GENERAL

Regulations

10-053 RECOMMENDED SERVICE PROGRAMS (Continued)

10-053

.5 State Preschool Services (formerly Preschool Compensatory Education)

To provide for children between the ages of three and the age when chronologically eligible for kindergarten from economically and culturally deprived homes the experiences and motivation to prepare them to enter public school on an equal basis with children from more advantaged homes. (See Chapter 31-350.)

.6 Homemaker Services

To prevent family disruption or inadequate care of children or adults during periods of temporary stress precipitated by the absence, illness or behavior of the regular homemaker, caretaker or individual, by the placement in the home of a mature, specially trained person to act as a temporary substitute until the period of stress is ended, or to help family members achieve homemaking skills. (See Chapter 56-120.)

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Regulations

Public
ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
PERSONS TO BE SERVED

10-072 (Cont.)

CHAPTER 10-070 PERSONS TO BE SERVED

10-070 PERSONS TO BE SERVED

10-070

.1 Objective

The county welfare department shall establish as its objective the provision of public social services to all eligible persons, as described in accordance with Sections 10-071, 10-072 and 10-073, who need such Services.

10-071 CATEGORICAL PUBLIC ASSISTANCE APPLICANTS AND RECIPIENTS

10-071

The county welfare department shall make available at least those Services described in Section 10-051 to persons applying for or currently receiving categorical public assistance (i.e., OAS, AB, ATD or AFDC) including each essential person living in the same home with the AFDC child and relative (see Section 44-213.1).

10-072 FORMER AND POTENTIAL RECIPIENTS OF CATEGORICAL PUBLIC ASSISTANCE

10-072

.1 Definitions

.11 A "former recipient" is a person who received categorial public assistance within the preceding 24 months.

.12 A "potential recipient" is a person or family:

.121 Who is currently receiving categorical public assistance although federally ineligible, who is certified for MN - Medical Assistance to the Medically Needy; or

.122 Who would be eligible for AFDC if the earnings exemption applied; or

.123 Who is considered by the county welfare department, for reasons described in the county plan, as likely to become a recipient of public assistance within five years; or

.124 Who is at or near the dependency level, including

a. Those who live in low-income neighborhoods served by a state service center or in a comparable neighborhood described in the county's plan, and

b. Those who belong to a defined group, (e.g., migrants and persons on leave of absence from state hospitals) in which recipients are heavily represented when services are provided to such an identified group on a group basis.

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ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
10-072 (Cont.) PERSONS TO BE SERVED Regulations

10-072 FORMER AND POTENTIAL RECIPIENTS OF CATEGORICAL PUBLIC ASSISTANCE (Continued) 10-072

.2 Services for Former and Potential Recipients

- .21 All individuals and families certified as Medically Needy are eligible for all required (Section 10-051) and recommended Services (Section 10-053) on the same basis as current applicants for or recipients of categorical public assistance when they request such Services.
- .22 The county welfare department shall make available for persons eligible as former and potential recipients at least the following listed Services as appropriate:
- .221 State preschool services, when requested, on the same basis as is provided to recipients in a county where such program is established;
- .222 Out-of-home services for children in foster care (by July 1, 1969);
- .223 Protective services for children (by July 1, 1970);
- .224 Day care services for children (by July 1, 1970).
- .23 The county welfare director may include in the county plan the provision for former and potential recipients of any of the other Services described in Sections 10-051 and 10-053 as deemed essential to prevent or minimize the need for public financial assistance.
- .24 The county welfare director shall describe in the county plan the persons to be served as former and potential recipients and the steps to be taken in the progressive implementation of Services described in Sections 10-072.222, 10-072.223, and 10-072.224 above.

10-073 SERVICES TO OTHER PERSONS 10-073

The county welfare director shall describe in the county plan all other persons established as eligible for public social services, which descriptions shall include persons eligible for each Service as established by regulations of the State Department of Social Welfare.

.1 Information, and Referral Services

All persons without regard to the need for public financial assistance are eligible for information, and referral services.

.2 Child Welfare Services

The county welfare director shall make provisions for progressively establishing, extending, and strengthening child welfare services (see Section 10-053.4) with the goal of making them fully available as a public social service by July 1, 1975. (Social Security Act, Section 422 (a) (2))

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Regulations ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES
OPERATIONAL STANDARDS 10-201 (Cont.)

CHAPTER 10-200 OPERATIONAL STANDARDS

10-201 Organization

.1 Separation of Income Maintenance Function from Services Functions

.11 Purpose

The major objectives of separation of the ^{Reception,} income maintenance ^{and desiring} and service functions are:

- .111 Greater recognition and appreciation of the individual's dignity, personal rights, and responsibilities.
- .112 Prompt and better focused services to those needing ^{and desiring} them, and prompt payment of aid to those eligible.
- .113 Better utilization of staff by assigning social workers exclusively to the service function and by assigning eligibility workers to the income maintenance and eligibility control functions.

.12 Structure

- .121 By July 1, 1970, the income maintenance function for all aids shall be administered through a separate organizational line from that through which the service functions are administered.
- .122 Separation of functions at least through the unit level is required in the OAS program.
- .123 By January 1, 1970, separation of functions for AB, ATD, and MN shall be accomplished at least through the unit level. Prior to this date a county plan may provide for separation of functions at the worker level rather than at the unit level.
- .124 Prior to July 1, 1970, in AFDC a county plan may provide for separation at either the worker or unit level.
- .125 In county welfare offices where the number of staff preclude complete separation of functions as specified above, they may be combined to the extent necessary.

.13 SDSW Approval of Separation Plan

The county plan for separation shall be subject to approval by SDSW.

The use of the simplified eligibility method (10-505) is contingent upon an approved separation plan.

.14 Reception Function

A distinct and specialized function of telephone and personal reception shall be established to facilitate and assure:

- .141 That all client and community requests for service and referrals from other public or private agencies are directed to the proper service unit.
- .142 That the right to apply for financial assistance is made known to all who express such a need and that such persons are directed to the income maintenance system.

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10-201 (Cont.) ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES
OPERATIONAL STANDARDS Regulations

10-201 ORGANIZATION (Continued)

10-201 (Cont.)

- .143 That requests or referrals for services get directly to the service system and are not screened by the income maintenance system.

- Coordination of Information and Referral Service with Reception*
.15 A specialized service of information and referral staffed by social service workers may be coordinated with the reception function. (See 10-051.1)

.16 Eligibility Control

A distinct and specialized function for Eligibility Control shall be established. This function shall be a part of the SDSW and county welfare department system of Eligibility Control.

.161 Workload Assignment and Activity

Responsibility for a full eligibility study on a department prescribed sample of cases shall be carried on by this unit to test the accuracy of facts as declared by applicants and recipients and the correctness of the eligibility worker's decision.

Cases to be tested shall be identified and referred to the unit promptly. The field investigation shall be initiated immediately upon receipt of the case and carried through to completion as rapidly as possible.

Discrepancies requiring corrective action shall be reported to the Income Maintenance System for action.

The full eligibility study shall be conducted in accordance with standards for field investigation prescribed by the SDSW. (Regulations Division 15)

- .162 Direct supervision of the Eligibility Control function shall not be combined with that of the income maintenance or service functions except as necessary because of limited number of staff.

.2 Special Unit for Blind Aid

Administration of Aid to the Blind and Potentially Self-Supporting Blind shall be through a specialized bureau, provided the county has a caseload of 250 or more recipients of AB and APSB (W&IC 12506). In a county with such a specialized bureau, the separation of eligibility and service functions shall be accomplished within the bureau.

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10-201 (Cont.)	ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES OPERATIONAL STANDARDS	Regulations
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10-201 ORGANIZATION (Continued)

10-201

.3 Unified Services for Families and Children

The county welfare director shall establish during fiscal year 1968-69 a single organizational unit which shall result in a single, unified program of Services for families and children, with no differentiation as between AFDC and CWS and no separation of Services for AFDC and those for CWS.

.31 The single overall organizational unit shall be so structured that:

- a. All parts of the service program, including policy control and program supervision, are under the control of its chief officer; and
- b. The same subunits are responsible for setting county Service policies, to the extent permitted by state regulations, for AFDC Families and other families eligible therefor (Secs. 10-072 and 10-073); and
- c. Child Protective Services are provided by a specialized unit (see Section 30-100); and
- d. Child Support Services are provided by a specialized unit (see Section 30-210).

.32 Counties in which the AFDC and CWS programs were legally authorized as separate agencies on January 1, 1968, are exempted from this requirement.

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ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES
Regulations OPERATIONAL STANDARDS 10-203 (Cont.)

10-203 STAFFING STANDARDS

10-203

.1 Objective

The objective of the county staffing plan shall be the optimum utilization of all available personnel classifications and the assignment of specific personnel to perform functions most likely to achieve the objectives of public social service.

.2 Staffing and Budget Estimates

The county's approved budget for the county welfare department shall provide for sufficient positions to maintain annually and progressively implement the standards objectives and standards for public social service.

.21 The number of approved positions in the county's annual budget shall be based on reasonable estimation of staffing needs taking into consideration the projection of caseload trends, normal staff turnover, and orientation training, and shall be subject to increase during the year as indicated by a reappraisal of staffing needs at the mid-point in the fiscal year.

.22 The staffing standards in this chapter apply not only in the provision of services to current applicants and recipients of categorical assistance, but are equally applicable in the provision of services to former and potential recipients which the county welfare department may be required or elect to offer (see Section 10-072).

.3 Number of Positions

.31 Prior to Separation of Income Maintenance and Service Functions

.311 The number of Social Worker positions in the approved county budget which the county welfare director is authorized to fill shall be sufficient to insure

- a. for Continuing Service Caseloads an average of 60 service cases or less for each Social Worker position; and
- b. for Intake an average of 60 new applications and reapplications or less assigned to each Intake Social Worker position during a quarter.

When nonservice cases are concurrently assigned with continuing service cases to a social worker, 1/60 of the worker's time must be allowed for work on each service case assigned (e.g., if 20 service cases are assigned, 20/60 or 1/3 of the worker's time must be allowed for work on such cases).

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10-203 STAFFING STANDARDS (Continued)

10-203

- .312 The number of first-line Supervisory Social Work positions in the approved county budget which the county welfare director is authorized to fill shall be sufficient to insure an average of five or less Continuing Service or Intake Social Workers assigned to each Social Work Supervisor position.

When the required number of social worker positions (see Section 10-203.31 above) is divided by five and the remainder is greater than 2.5 positions, an additional supervisory position is required. When the remainder is 2.5 or less, an additional supervisory position is not required.

When a first-line Service supervisor is assigned additional responsibilities such as staff development activities or supervision of nonservice staff, 1/5 of the supervisor's time must be allowed for supervision of each social worker carrying a Services caseload (e.g., if 3 Service workers are assigned, 3/5 or 60% of the supervisor's time must be allowed for their supervision).

- .313 The county shall insure the adequate provision of appropriate staff in relation to the nonservice categorical caseload.

.32 Following Separation of Income Maintenance and Service Functions

- .321 The number of Social Worker positions in the approved county budget which the county welfare director is authorized to fill shall be sufficient to insure an average of 60 Service cases or less for each Social Worker position.

- .322 The number of first-line Supervisory Social Work positions in the approved county budget which the county welfare director is authorized to fill shall be sufficient to insure an average of five Social Workers or less assigned to each Social Work Supervisor position in the Services Unit. (See Section 10-203.312.)

- .323 The number of eligibility worker and eligibility supervisor positions necessary to assure maintenance of acceptable performance levels in the income maintenance and eligibility control functions shall be determined by the county, taking into account the availability of clerical and other supportive processes, and shall be submitted in the county plan subject to approval by SDSW as standards which the county will maintain.

Maintenance of acceptable performance levels shall be measured by taking into consideration the findings of the eligibility control system, promptness in processing applications and paying aid, currency of reinvestigations, appropriateness of service assessment, identification and referral of persons for service, and such other factors as the SDSW shall establish as appropriate indicators of performance.

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ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
OPERATIONAL STANDARDS

10-203 (Cont.)

10-203 STAFFING STANDARDS (Continued)

10-203

.4 Staff Recruitment Program

Compliance by the county welfare department to the basic social work staffing standards noted above, must include an active and continuing Social Worker recruitment program which reduces to a minimum the number of authorized positions which are vacant.

.5 County Responsibility for Staffing

At the end of each calendar month, the county welfare director shall prepare a report which compares the ratio of the service caseload to authorized positions and the ratio of service caseload to filled positions; and he shall take such action as may be necessary to minimize the difference between the two ratios. A copy of the report, his conclusions, and action taken or proposed shall be submitted to the SDSW.

.6 Differential Workloads

.61 The county welfare director's staffing plan shall provide for differential workloads for social workers and first-line supervisors, within the averages described above, taking into consideration the difficulty of Services to be provided, the training and experience of the worker and the supervisor, and the availability of nonprofessionals, volunteers and other persons assigned to assist social work personnel.

.62 The county plan shall describe the caseload size established for each differentiated workload.

.7 Use of Aides

.71 Objectives

The objectives of the use of Aides are: (1) the enrichment of the Services Program of the county welfare department, (2) improved services to poor people and (3) the provision of employment to low income families.

.72 Effective Date for Plan Implementation

The county staffing plan shall provide for the employment, training, and effective use of Services Aides in the Adult Programs and in the Family and Children's Program by no later than July 1, 1969.

.73 Qualifications for Aides

The county shall seek out and give preference to recipients and other persons of low income in the filling of Aide positions.

Persons to be employed should have the capacity to deal realistically with practical problems relating to welfare recipients. There shall be no formal educational requirements for these positions.

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ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
10-203 (Cont.) OPERATIONAL STANDARDS Regulations

10-203 STAFFING STANDARDS (Continued) 10-203

.74 County Staffing Plan for Aides

The county staffing plan shall include provision for career service opportunities which permit individuals employed as Aides to progress to positions of increasing responsibility and remuneration as a result of successful work experience, pre-service and in-service training, and educational leave with pay.

.741 The county staffing plan shall include an organized training program for Aides which is described in the annual county staff development plan. The organized training program should include use of adult education facilities, community colleges and other appropriate educational institutions.

.742 The county staffing plan shall provide annually for progressive expansion in the number of Aides assigned to the services system which is described in the public social service plan and annual report. Program expansion shall continue until maximum utilization of Services Aides is assured.

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Regulations OPERATIONS STANDARDS 10-203 (Cont.)

10-203 STAFFING STANDARDS (Continued)

10-203

.75 General Requirements for Use of Aides

.751 The plan for the use of Aides shall be included as part of the public social services plan and annual report submitted by the county welfare director (see Sec. 10-207).

.752 Responsibility for the ongoing development and extension of the use of Aides shall be assigned to a specific member of the staff of the department.

.753 Supervision of the individual Services Aide involved in the direct delivery of services shall be by a member of the social services staff and assignment of services cases shall be to the social services worker.

.754 The social worker staffing standard (see 10-203.321) is not affected by the assignment of services aides. Likewise, the first line supervisory social work staffing standard is not affected by the assignment of Services Aides to a supervisory unit, regardless of whether the Aides are supervised directly or by a social worker. (See also 10-203.61 above for requirements on use of differential workloads for social workers and first line supervisors.)

Development and Use of Aides

.76 The county staffing plan may also provide for the development and use of aides to assist in the income maintenance function. The requirements governing the use of aides as stated in the above sections all apply to the use of aides in the income maintenance system except .72, .742, .753, and .754.

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10-203 (Cont.)

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10-203 STAFFING STANDARDS (Continued)

10-203

.8 Use of Volunteers

.81 The county shall provide effective July 1, 1969, for the recruitment and utilization of volunteers, including senior citizens and young people wherever feasible, in the provision of services and assisting appropriate advisory committees. The county's plan for the use of volunteers shall be approved by resolution by the Board of Supervisors as required in W&I Code 10616.

.82 Administrative standards and policies in the use of volunteers shall be part of the county plan. The county plan shall:

.821 Assign responsibility for the volunteer program to a specific staff member. Counties too small to establish a full-time position may assign the function to a social service supervisor or to a social worker. In the latter event, appropriate time shall be reserved for the administration of this program.

.822 Define the nature and purpose of the services to be provided by volunteers and identify the persons or groups to be served.

.823 Establish procedures for recruitment, selection, training, and assignment of volunteers.

.824 Assure that volunteer services are used to supplement and not to substitute for the services of employed staff.

.825 Integrate the volunteer services program as a part of the agency.

.826 Provide for reimbursement of expenses of volunteers as appropriate. (Fiscal Manual 25-852.306(2)).

.827 Provide safeguards which shall maintain confidentiality; protect the recipient's right to privacy; and assure the recipient's right to accept or refuse the use of volunteers.

.828 Provide for a periodic review of the continuing need and suitability of the volunteer activity in each case when volunteers are assigned to an individual case.

.829 Provide for utilization and coordination with other public and voluntary agencies which furnish similar services.

10-204 ASSIGNMENT OF PERSONNEL AFTER SEPARATION OF FUNCTIONS

10-204

.1 Income Maintenance and Eligibility Control

Progression toward the exclusive use of the technical class series of Eligibility Worker (Welfare Personnel Standards, Sections 12-815.1, 12-815.31, 12-815.32, 12-816.1, 12-816.31, and 12-816.32) for the income maintenance function and the eligibility control function shall be maintained. Vacancies occurring after a separation plan has been effected shall be filled from the technical class series.

.2 Social Service

Priority in filling vacancies in social service or social service supervisor positions occurring after a separation plan has been effected shall be given to persons in those classes who have been assigned to income maintenance or eligibility control functions as a result of separation, if they are otherwise qualified for the particular service assignment.

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10-207 COUNTY PLAN

10-207

- .1 The county shall establish and maintain a basic plan for public social services which shall be approvable by the Director, State Department of Social Welfare, or his delegated agent, as meeting the standards for public social service.
- .2 Approval of the county plan is a required condition for other than county participation in the costs of Services described in Sections 10-051 and 10-053.
- .3 The county basic plan shall describe the county's program of public social service with respect to each of the standards for such Service.
 - .31 The description shall be in the format prescribed by the State Department of Social Welfare.
- .4 Proposed substantive changes in the basic plan shall be submitted to SDSW between October 1 and March 31 preceding the fiscal year to which the change in plan applies.
 - .41 The specific date by which such changes shall be filed with SDSW shall be established jointly with each county, taking into consideration the budget cycle of the county, the workload of the SDSW, and other relevant factors.
 - .42 Proposed changes to be made within the current budget year shall be submitted to the State Department of Social Welfare for approval at least thirty days prior to the effective date of the change.

10-211 COUNTY PROGRAM EVALUATION

10-211

The county welfare director shall provide for an effective and objective means of regularly evaluating the results of the county's public social services programs in terms of the objectives in Section 10-005 and adherence to the established plan (Section 10-207).

- .1 The evaluation shall include a clear expression of overall results in relation to changes in the situations of people served. (See Case Review Requirement, 10-304.5.)
- .2 The evaluation shall be based on both qualitative and quantitative indicators of the agency's effort.
- .3 The evaluation shall include an assessment of the extent of unmet need in the county for a Service which the county welfare department is required to provide (Section 10-051).

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10-213 SDSW REVIEW OF OPERATIONS 10-213

- .1 The SDSW will assess the county's operations under its approved plan through program and fiscal reviews, the county's own program evaluation.. (Section 10-211), and other appropriate means.
- .2 The county will be informed of the results of such assessment. If substantial inconsistency is found between the approved plan and actual operations, the county will be notified of the deviations and given a reasonable period for correction.
- .3 If operations are not brought into conformity with the approved plan, or if the county has not submitted a plan in accordance with prescribed standards (Section 10-207.2), federal and state participation in the costs of administering the public social services shall be reduced or terminated (Section F-270).

10-217 REPORTING 10-217

.1 County Reporting System

The county shall, in addition to meeting statewide reporting requirements promulgated by the Research and Statistics Manual of Policies and Procedures, establish and maintain a reporting system appropriate to the size of the county, which system shall provide reasonably valid countywide data on the need for and the extent to which it is currently providing public social services.

.2 Annual Report

The county shall prepare and submit to SDSW an Annual Report on Public Social Services.

.21 Content

The county's annual report shall show the results of the evaluation made in compliance with Section 10-211 and the county's updated objectives with respect to the findings of its evaluation and the extent of unmet need for public social service in the county (see Section 10-211.3).

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Public
ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES
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10-219 USE OF CWS FUNDS

10-219

(See Chapters 30-350 and 31-250)

.1 Reimbursement for Services

Effective October 1, 1968, reimbursement for the cost of services provided nonaided children and their families who qualify as former or potential recipients under the definition in Section 10-072 shall be claimed from public assistance funds.

.2 Cost Allocation Plan

Effective October 1, 1968, the rate of reimbursement shall be the same as the federal reimbursement rate for services in AFDC.

The amount reimbursed shall be dependent upon the availability of matching county funds but shall not exceed the amount allocated to the county by the State Department of Social Welfare.

10-221 STAFF DEVELOPMENT

10-221

.1 The staff development program of the county welfare department shall implement:

Regulations and policies enumerated in the State Department of Social Welfare Staff Development Manual;

A plan of in-service training which provides staff assigned cases requiring or requesting services the essential knowledge and skill to enable them to effectively provide the services enumerated in Sections 10-051 and 10-053;

A plan for staff to participate in workshops and institutes and attend conferences;

A personnel appraisal policy which involves the individual worker in assessing his knowledge and skills in relating to his job performance and lays out a personal development plan which the agency and worker propose to follow to improve his job performance; and

Budgetary appropriations for training expenses, materials, and development of a library.

.2 The county staff development plan and the annual plan for continuing training required of all county welfare departments (Section SD-600 and SD-610) shall be considered a part of the county's basic plan for Social Services (Section 10-207).

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Regulations ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES
 PROGRAM STANDARDS - SERVICES

10-303

CHAPTER 10-300 PROGRAM STANDARDS - SERVICES

10-301 ASSESSMENT OF NEED FOR SERVICE

- .1 The county welfare department shall assure that each applicant for or recipient of public social services receives an understandable explanation of the ^{appropriate} required and recommended services provided by the county. (See 10-051, 10-053, and 10-070)
- .2 A service assessment shall include exploration of the need for the appropriate required and recommended services provided by the county.
- .3 A service assessment shall be made by a services worker within the limitations stated in 10-303:
 - .31 Promptly upon receipt of a request from the client for one of the required or recommended services provided by the county.
 - .32 Promptly upon receipt of a request or referral from within the county welfare department or from individuals or other agencies.
 - .33 By January 1, 1970, for any AFDC family receiving assistance on March 31, 1969, if there has not been a prior service assessment.
 - .34 Within one year of the date on which AFDC is granted after April 1, 1969, if there has not been a service assessment within the year.

10-302 OFFER OF SERVICE

10-302

Where services needs are identified as a result of a service assessment, the county welfare department shall offer services appropriate to the need of the individual or the family.

10-303 VOLUNTARY ACCEPTANCE OF SERVICE

10-303

- .1 The person or family shall be encouraged to accept an exploration of the need for service and to use those Services appropriate to the individual situation.
- .2 The person or family shall have a free choice to accept or reject the assessment of a need for service or an offer of service.
- .3 Refusal to accept Service shall not affect payment of financial assistance, except that:
 - .31 Refusal to cooperate in the WIN program or refusal to accept a bona fide offer of employment shall result in the imposition of the penalty provided in Section 30-163; and
 - .32 Knowing refusal to cooperate with law enforcement officers in securing child support from an absent parent or in establishing paternity shall result in the discontinuance of AFDC in accordance with W&IC Section 11477 (see Section 42-513.2); and
 - .33 A determination that a money management problem can be resolved only by an administratively controlled plan shall result in use of a protective or vendor payment in accordance with the provisions of Section 44-307.
- .4 The county welfare director is not relieved of his duty to provide protective services or to take appropriate action to establish paternity, by the refusal of such service by any person who needs or who acts in behalf of anyone needing such service.
- .5 The county welfare director shall assure that prior to accepting a person's rejection of a service which necessitates the county welfare department's action to modify the assistance payment or to refer the situation to a law enforcement agency, such person, or his caretaker or guardian, is given a clear explanation of the consequences of that choice.

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10-304	ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES PROGRAM STANDARDS - SERVICES	Regulations
10-304	PROVISION OF SERVICES	10-304

- .1 When service is requested, or an offer of service is accepted, the county welfare department shall, in cooperation with the individual or family, develop a services plan which is realistic and which takes into account the needs of the individual and the family as a whole.
- .2 The service plan shall describe the specific services to be provided, and shall assure the maximum feasible effort to assist the individual or family to achieve the specific objectives of the plan.
- .3 The service plan shall be reviewed as often as necessary and no less often than annually to assure that its objectives are being realized effectively.
- .4 A case is in services status from the date the need for service, or a service assessment is known to the agency. A case shall continue in services status, consistent with program regulations (e.g., 10-303) until:
 - .41 a decision is made as a result of the assesement that service is not needed;
 - .42 the service objective is achieved;
 - .43 a decision is made to terminate the service because it no longer benefits the individual or family, cannot be delivered, or is being provided through another resource.
 - .44 the client exercises his right to refuse agency services.

10-305 SERVICE RECORD

10-305

The county welfare director shall assure that a service record is maintained which summarizes any requests for Service, the agency's findings regarding the need for Service, the offer and acceptance or rejection of Service, the plan for provision of Service including the review of the plan and program of Service as required by Section 10-304.3 above, the dates between which the case was in active Service status and a description of the actual Services rendered and the goals achieved.

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Effective July 1, 1969

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
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(Pursuant to Government Code Section 11380.1)

Public

	ADMINISTRATIVE STANDARDS FOR SOCIAL SERVICES	10-307
Regulations	PROGRAM STANDARDS	

10-306 RIGHT OF FAIR HEARING 10-306

1 Fair Hearing Requirements in Relation to Services

The county welfare department shall assure the right to request a fair hearing to any applicant or recipient who is dissatisfied with the decision made by staff of the county welfare department, or by an agency or individual providing a social service under contract with the county welfare department, with respect to services (SDSW Regulations, Chapter 22-000 et seq.), including all aspects of the required and recommended social services programs identified in 10-051 and 10-053.

2 Responsibility for Explaining Fair Hearing Provisions

The right of fair hearing in relation to services, including the required and recommended social service programs, shall be explained to all applicants for or recipients of such services at the time of initial contact with the social services worker. Social service workers shall offer the opportunity for the applicant or recipient to complete a fair hearing request in relation to social services whenever the desire to do so is indicated. (See SDSW Regulations, Chapter 22-000 et seq.)

10-307 COMPLAINTS 10-307

The county welfare department shall make provision for the review and evaluation of complaints about the delivery of services, including the required and recommended services programs, expressed by applicants or recipients who are dissatisfied with treatment received in relation to such services. (See SDSW Regulations, Chapter 22-102.)

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Effective July 1, 1969

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(Pursuant to Government Code Section 11380.1)

	ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES	
Regulations	PROGRAM STANDARDS - INCOME MAINTENANCE	10-501

	CHAPTER 10-500 PROGRAM STANDARDS - INCOME MAINTENANCE	10-500
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	10-501 INCOME MAINTENANCE RESPONSIBILITIES	10-501
--	--------------------------------------------	--------

AB
ATD
OAS
AFDC
MN

.1 Eligibility and Grant Decisions

Income maintenance staff shall be continuously responsible for making decisions on eligibility and maintaining correctness of grant on all public assistance cases, whether in service status or not. These include: initial determinations and redeterminations of eligibility; determination of subsistence needs; computation of grants, and share of cost (for MN); change actions on grants; movement between categorical programs; *eligibility for supplemental food programs.*

.2 Recording

The county welfare director shall assure that records are maintained by income maintenance staff which document the basis for the eligibility decision and the amount of grant or share of cost (for MN). Such recording need not be in narrative form and should be entered on forms to the extent possible.

.3 Interview

- .31 A minimum of one face-to-face interview is required during the application process and the reinvestigation process. The interview may be a group interview unless the client requests an individual interview.
- .32 The purposes of this interview are:
 - .321 To identify the applicant or recipient;
 - .322 To give information about resources and services available including medical care benefits under Medi-Cal and how to use them;
 - .323 To explain responsibilities and methods for reporting changes in income and need to an income maintenance worker;
 - .324 To assist in recording facts on the Form ABDM 201 if necessary;
 - .325 To explain the right to a fair hearing and civil rights protections.
- .33 When the client is in a state hospital for the mentally ill or mentally retarded, an interview by the SDSW Hospital Social Worker meets this requirement.

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(Pursuant to Government Code Section 11380.1)

ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES
Regulations PROGRAM STANDARDS - INCOME MAINTENANCE 10-501 (Cont.)

10-501 INCOME MAINTENANCE RESPONSIBILITIES (Continued) 10-501

.4 Referrals for Service Assessment

Income maintenance staff shall be continuously responsible for identification of the possible need for services assessment. Referral with the knowledge and consent of the client (within the limitation of 10-303) shall always be made promptly upon initial identification of any one of the following conditions:

- .41 Service is requested by the client.
- .42 Information on the client's statement of facts provides clues as to a need for services.
- .43 There appears to be a need for protective services.
- .44 The family includes a federally eligible AFDC-U father, or a 16 - 21-year-old youth who is not employed or in school, or another person for whom immediate vocational training or employment appears indicated.
- .45 A child or adult is in out-of-home care.
- .46 There appear to be physical or mental handicaps or unmet medical needs which limit an individual's ability to care for himself or to manage his affairs.
- .47 The individual is on leave of absence from a state hospital.
- .48 There is an out-of-wedlock pregnancy or an out-of-wedlock birth within the past two years.
- .49 An individual appears to be in need of help in handling his feelings about establishing eligibility or need.
- .5 All other staff of the county welfare department has similar responsibility to refer to the service system any individual coming to its attention who meets the conditions in .4 above.
- .6 The responsibility of the eligibility worker in relation to services ceases at the point at which referral is accomplished.
- .7 All referrals for service assessment shall be made on Form ABDM 261 (Services Referral/Completion Form) whether initiated in person or by telephone.
- .8 The county welfare department shall assure that adequate procedures exist for referral in relation to Fraud and Suspected Law Violations in accordance with 20-200, et seq.

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(Pursuant to Government Code Section 11380.1)

ADMINISTRATIVE STANDARDS FOR PUBLIC SOCIAL SERVICES
Regulations PROGRAM STANDARDS - INCOME MAINTENANCE 10-505

10-505 SIMPLIFIED ELIGIBILITY METHOD 10-505

.1 Definition

<div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">OAS</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">AB</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">ATD</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">MN</div> <div style="border: 1px solid black; padding: 2px;">AFDC</div>	<p>The simplified eligibility method means an organized process by which the welfare agency accepts a statement of facts (Form ABDM 201) from the applicant for or the recipient of public assistance about facts which are within his knowledge and competence (except as specified in Section 40-204.1 and in relation to blindness and disability), as a basis for decisions regarding his eligibility and amount of grant or share of cost for medical care.</p>
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.2 Use of Simplified Eligibility Method

This method shall be used in all categorical aid programs except AFDC by January 1, 1970. In AFDC, testing of its use is authorized only upon approval by SDSW.

The use of the method in all programs is contingent upon an approved separation plan (10-200.13).

.3 Regulations

All regulations relating to the categorical programs and the Medically Needy are applicable in the simplified eligibility method except to the extent that they require verification of the applicant's or recipient's statements or otherwise conflict with the provisions of this Chapter. Such other regulations are declared to be subject to the provisions of this Chapter.

.4 Eligibility and Grant Decisions

<div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">AB</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">ATD</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">MN</div> <div style="border: 1px solid black; padding: 2px;">OAS</div>	<p>The simplified eligibility method is based on the principle that an applicant or recipient has primary responsibility within his capacity for gathering and stating facts accurately relative to his eligibility, his needs, and his income, and for presenting further data or information needed to reconcile inconsistencies if such exist. The eligibility worker shall evaluate the capacity of the individual to meet his responsibility, and provide assistance to him when such is necessary.</p>
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When the Statement of Facts (Form ABDM 201) is incomplete, unclear, or inconsistent, or where other circumstances in the case indicate to a prudent person that further inquiry should be made and the individual cannot clarify the situation, the county welfare department shall obtain additional substantiation or verification. In such instances, verification may be obtained from the individual or the agency's records, or from public records, or with the individual's knowledge and consent from other sources.

The eligibility worker shall make a decision on eligibility and amount of grant or share of cost in light of the Statement of Facts (Form ABDM 201), necessary clarifications, and interviews which may have occurred.

Effective July 1, 1969

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(Pursuant to Government Code Section 11380.1)

FINDING OF EMERGENCY

The revision of the regulations of the State Department of Social Welfare contained in Division 10 of the Operations Manual are emergency measures necessary for the immediate preservation of the public health, safety and general welfare within the meaning of the provisions of Government Code Section 11421(b):

The following facts constitute the emergency:

1. SRS Program Regulation 10-3 issued by the United States Department of Health, Education and Welfare requires that all states use, at least on a test basis, a simplified method of determining eligibility for public social services.
2. The revisions of Division 10 authorize the use of such a method and enable the state, through the operation in the counties, to meet this federal requirement.
3. Failure to comply by July 1, 1969, with this federal requirement would jeopardize the continued receipt of substantial federal contributions under Titles IV, X and XIV of the Social Security Act.
4. The loss of federal funds would necessarily have an adverse effect on the health, safety and general welfare of the people of this state.

The revision described above must, therefore, be adopted as an emergency regulation effective July 1, 1969.

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JUN 26 1969

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JUN 26 1969

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Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: June 24, 1969

By:

John E. Mantz

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

JUN 30 1969

At 12:27 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By:

J. R. [Signature]
Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

SECTION 36231 - ACCEPTANCE OF APPLICATIONS

- A. In accepting applications, an agency shall consider the needs of children in care of other California agencies as well as those in its own care.
- B. When the computerized exchange system is initiated, an agency shall accept applications only from persons living in the area covered by its license.
The State Department of Social Welfare may authorize an agency to accept applications from persons living outside the area covered by the license when this is necessary to meet the needs of specific children, and there is no public adoption agency to serve the applicants.
- C. Applications from single persons, whether unmarried, widowed, or divorced, may be accepted when two parent families cannot be found to meet the needs of particular children.
- D. Applications to adopt a specific child may be accepted only when necessary to meet the needs of the child.

SECTION 36234 - SELECTING HOMES FOR STUDY

An agency shall give priority to families who appear to meet the needs of children in its own care and those in care of other agencies in selecting homes for study.

When a home under study is registered with the Adoption Resource Referral Center and is referred for a child, the study shall be completed promptly by the registering agency if request for completion is made by the child's agency. Effective 8/1/69

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(Pursuant to Government Code Section 11380.1)

ARTICLE 8 - ADOPTION RESOURCE REFERRAL CENTER

SECTION 36290 - INITIAL REGISTRATION

Children

All children for whom adoption agencies are responsible, except those freed for adoption within 60 days prior to the beginning of the computerized adoption exchange system, or those for whom a specific placement is currently under consideration, shall be registered with the Adoption Resource Referral Center when the system is initiated. This will provide an inventory of all children who have been legally free for adoption for more than 60 days. Data on children who are ready for adoption will be entered in the exchange referral system file. Data on children currently not ready for adoption, both those expected to be ready at a later time and those who apparently may never be adopted, including children for whom guardianship has been provided or other permanent plan made, will be retained in the inventory file. If the status of a child changes, data will be entered into or removed from the exchange system files.

The combined data of the inventory and referral system files will provide information for program planning to meet the needs of children in care of adoption agencies.

Families

All families who have been approved for more than 60 days, except those for whom a specific placement plan is under consideration, shall be registered with the Adoption Resource Referral Center when the computerized exchange system is initiated.

Effective August 1, 1969

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(Pursuant to Government Code Section 11380.1)

SECTION 36291 - ONGOING REGISTRATIONChildren

Children for whom a placement plan has not been made within 60 days after they are free for adoption shall be registered immediately. Data on those who are not ready for adoption will be recorded only in the inventory file. Data regarding those who are ready for placement will be recorded in the referral system for interagency referral.

A child may be registered as soon as it is apparent that no appropriate home is available locally.

Approved Homes

Families for whom a placement plan has not been made within 60 days after approval shall be registered immediately.

An approved family may be registered as soon as it is determined that the home is not needed for a local child.

Homes Under Study

A family under study (application signed and intake interview completed) whose home is not needed for a local child shall be registered immediately if the kind of home is needed for a child in care of another agency.

If the registering agency is unable to study immediately a home needed for a child in care of another California agency, the Adoption Resource Referral Center may refer the home for study to an agency able to complete the study and provide services if the family is in agreement with this plan.

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(Pursuant to Government Code Section 11380.1)

SECTION 36291 (continued)Registration Forms

Children and homes shall be registered on forms provided by the Adoption Resource Referral Center.

SECTION 36292 - REFERRALS

Printed referrals of possible homes for children and of children for families will be forwarded to agencies by the referral system. Action shall be taken and reports sent to the Adoption Resource Referral Center by agencies within the time limits established by the State Department of Social Welfare.

SECTION 36294 - WITHDRAWALS

When a placement is made, or a child or family is no longer available for another reason, the agency shall withdraw the registration immediately. Withdrawal forms will be provided by the Adoption Resource Referral Center.

SECTION 36296 - COOPERATION WITH ADOPTION RESOURCE EXCHANGE OF NORTH AMERICA

California families have priority for placement of California children. Cooperative placements through the Adoption Resource Exchange of North America may be considered if no home is available in California for a child or if there is no child for a family. Referrals of registrations from California agencies to the Adoption Resource Exchange of North America will be made by the Adoption Resource Referral Center, and registration from the Adoption Resource Exchange of North America will be made available to California agencies through the Adoption Resource Referral Center.

Effective August 1, 1969

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(Pursuant to Government Code Section 11380.1)

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JUL 2 - 1969

Office of Administrative Procedure

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(GOV. CODE 11380.5)

JUL 2 - 1969

Office of Administrative Procedure
DO NOT WRITE IN THIS SPACECopy below is hereby certified to be a true
and correct copy of regulations adopted, or
amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: June 30, 1969

By: John C. M. L.

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

JUL - 2 1969

At 12:05 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: [Signature]
Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

40-107 COUNTY RESPONSIBILITY

40-107

AB
ATD
OAS
AFDC.1 Assisting the Applicant

The county is responsible for assisting the applicant or recipient in understanding his rights and his responsibilities in relation to application for public social services; for evaluating the capacity of the applicant or recipient to discharge his responsibilities as set forth in Section 40-105; for assisting him as needed in establishing his eligibility and helping him to realize the maximum personal independence of which he is capable, including self-care and self-maintenance.

.2 Arrangement for Substitute Payee, Guardian or Conservator

When there is need for a person to act as a substitute payee on behalf of a recipient or for protection in the form of guardianship or conservatorship, the county is responsible for assisting in the development of a satisfactory plan. This includes initiating the necessary procedures for appointment of a guardian or conservator when such is needed.

In planning for selection and appointment of someone to act in behalf of a recipient as a substitute payee, guardian or conservator, every effort must be made to protect the interests of the recipient and to avoid any possible conflict of interest. Because of the potential conflict of interest, aid payment may not be made on behalf of an individual to a person serving as substitute payee, or as guardian or conservator of the individual's estate if such person is also the administrator, operator or fiscal agent of a public or private facility providing care to the individual.

Effective 8/1/69

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(Pursuant to Government Code Section 11380.1)

40-107 COUNTY RESPONSIBILITY (CONTINUED)

40-107

If it appears to be in the best interest of the individual, a staff person, preferably in a unit or division of the county welfare department or State Department of Social Welfare Community Services Division which is responsible for providing protective services, may serve as a substitute payee or may be appointed by the court to serve as a guardian or conservator of the recipient. Aid may be paid on behalf of the recipient to such substitute payee, guardian or conservator subject to the requirements and limitations specified in Section 44-307.712 for a county staff person who is selected to serve as substitute payee.

If a county staff person is appointed to serve as substitute payee, guardian or conservator of a recipient the county is responsible for taking all necessary precautions to prevent either potential or actual conflict of interest.

.3 Eligibility Determination

The county is responsible for eligibility determination which includes a study of the financial, social, medical, and other service needs of the applicant and the development and carrying out of plans for meeting such needs within the limitations of the W&IC and the regulations of the State Department of Social Welfare.

.4 Notification of the Right to a Fair Hearing

Whenever there is a change in eligibility or amount of payment, the recipient shall be advised of the right to request a fair hearing. If the recipient expresses dissatisfaction, the county shall make every effort to resolve the problem. However, if he chooses to have a fair hearing, the county has the further responsibility to assist him in the preparation of the fair hearing request, and of advising him of his right to be represented by counsel or other authorized representative.

44-303 AID PAYMENTS - DEFINED

44-303

Aid payments are:

AB
ATD
OAS
AFDC

- .1 Money payments, i.e., payments delivered unconditionally to the recipient or family or to the legally appointed guardian or conservator of the recipient's estate, with no state or county control of the use of the payments.

When a staff person in the county welfare department or in the State Department of Social Welfare serves as a substitute payee or as a court appointed guardian or conservator for the recipient, as provided in Sections 40-107.2 and 44-307.712 his determinations regarding utilization of the aid payments on behalf of the recipient do not constitute 'state or county control,' within the meaning of this section. However, care shall be taken to leave in the hands of the recipient as much control over use of the payment as possible and consistent with conditions.

Aid payments are for the benefit of the recipient only and do not constitute income to any other person.

Effective 8/1/69

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(Pursuant to Government Code Section 11380.1)

44-303 AID PAYMENTS - DEFINED (Continued)

44-303

or

AB
ATD
OAS
AFDC

- .2 Protective payments, i.e., assistance payments made to a substitute payee serving as representative of the recipient within the limitations specified in Section 44-307.7.

or

AFDC

- .3 Vendor payments, i.e., payments made directly to persons or agencies supplying goods or services to the recipients or family as specified in Section 44-307.8.

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APPROVED FOR FILING
(GOV. CODE 11380.1)

JUL 2 - 1969

Office of Administrative Procedure

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: June 30, 1969

By: John C. M. [Signature]

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

JUL - 2 1969

At 12:05 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By: [Signature]
Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

30-359 DAY CARE ADVISORY COMMITTEE

30-359

- .1 County welfare departments administering day care services in behalf of 40 or more children and each day care facility receiving federal funds for the care of 40 or more children shall have an advisory committee.
- .2 Such committees must include not less than 50 percent parents with children in day care or parent representatives selected by such parents.
- .3 The county welfare department day care committee may be a part of, or separate from, the Family and Children's Services Advisory Committee (see Regulation Section 10-032), but in any event it must conform in membership to Regulation Section 30-359.2.
- .4 The advisory committee shall advise on the implementation and program development of the day care services program.

30-367 PURPOSE FOR WHICH DAY CARE FUNDS MAY BE EXPENDED

30-367

Day Care funds may be used for:

.1 Purchase of Care

Care may be purchased for individual children or obtained by contract for eligible families (see Section 30-365) from licensed family day care homes, licensed day nurseries, Children's Centers, EOA-funded day care facilities or other jointly funded facilities.

- .11 Care may be purchased for an individual child either by payment to a vendor or by cash payment to the AFDC family.

Effective 8/1/69

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JUL 10 1969

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STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: July 7, 1969

By:

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

JUL 11 1969

At 10:00 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By: *[Signature]*
Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

42-340 UNEMPLOYMENT OF A PARENT

42-340

AFDC .1 Deprivation Due to Unemployment

Deprivation of a child due to unemployment of a parent exists when either parent is not working or is working less than 152 hours per month in an industry where full-time work is 173 or more hours per month, or if full-time work is under 173 hours, is working less than 7/8 of the number of hours established by the Department of Employment as full-time work in the industry, and:

- .11 Is available for and seeking full-time employment, or
- .12 Is accepted for or is participating as a beneficiary in a training project essential to future self-support.

For purposes of this section, a "beneficiary" is one who is receiving services for which the project or program was established, as distinguished from a person who is employed as staff in the project or program. A person being trained for employment by on-the-job training or receiving education connected with the training is considered a beneficiary of the project.

Training projects "essential to future self-support" are:

- .121 WIN and ETP projects.
- .122 WIN-equivalent employment, training and education projects and programs approved by the county welfare department under provisions of Chapter 30-150, "Employment and Rehabilitation Services," including individual training programs which are accepted as good cause for refusing to accept employment as provided by Section 30-161.7.
- .123 MDTA projects.
- .124 Other WIN equivalent projects established as part of an ongoing manpower development program under provisions of the Economic Opportunity Act and Title I, Elementary and Secondary Education Act.

Effective 7/14/69

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(Pursuant to Government Code Section 11380.1)

42-340 Unemployment of a Parent (Continued)

42-340

.2. Additional Conditions To Be Met - All AFDC-U Cases

- .21 The parent who is not currently participating in a training project in accordance with 42-340.12 shall be currently registered with the Department of Employment. Referral to WIN meets this condition.
- .22 The parent shall not, within 30 consecutive calendar days prior to receipt of aid, have refused to apply for or to accept a bona fide offer of employment ~~OR TRAINING~~ without good cause.
- .221 Refusal of a bona fide offer of employment ~~includes refusal~~ ^{TO APPLY FOR OR} to accept work which independently ~~or~~ in combination with other employment would have resulted in 152 or more hours of work in the month.
- .222 Good cause for refusal of employment ~~OR TRAINING~~ shall be determined promptly either by the Department of Employment or by the social services system, as provided in section 30-159.2.
- .223 "Good cause" for refusal shall be as defined in section 30-161.
- .224 There shall be an individual determination that an offer was actually made and the parent shall be given an opportunity to explain why the offer was not accepted prior to application of the penalties specified in section 42-340.5.

(See section 30-155.3 for definition of a bona fide offer of employment.)

.3 Conditions To Be Met For Federal Participation in AFDC-U

- .31 Deprivation ~~SHALL~~ be due to the unemployment of the child's father.
- .32 The father ~~SHALL~~ not have received Unemployment Insurance benefits during a week for which AFDC was paid.
- .33 The father ~~SHALL~~ have been unemployed for at least 30 consecutive calendar days.

Effective 7/14/69

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FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

42-340 Unemployment of a Parent (Continued)

42-340

.34 The father SHALL have established a connection with the labor force:

.341 By meeting either of the following requirements in six calendar quarters within the 13 calendar quarters period ending within one year before the date of application for aid:

- a. Earned a gross of at least \$50 during the quarter, or
- b. Participated for at least five days during the quarter in:
 - (1) A former Community Work-Training Project,
 - (2) An EOA Title V Project,
 - (3) An ETP Project administered in accordance with Chapter 31-200,
 - (4) An activity administered under the WIN Program, or
 - (5) Any other WIN-equivalent activity administered under MDTA or other manpower programs; or

.342 By receiving, or being eligible to receive, Unemployment Insurance Benefits during the year before application.

The words "being eligible to receive," as used in this section mean that:

- a. The father would have been eligible to receive unemployment compensation upon filing application, or
- b. The father performed work not covered by Unemployment Compensation Law and such work, if it had been covered, would (together with any covered work he performed) have made him eligible to receive unemployment compensation upon filing application.

.35 The father shall have been referred promptly for participation in the WIN program, in a WIN county. "Referred promptly" means as soon as possible and not more than 30 days after receipt of aid. There is no federal nor state participation for any period beginning with the 31st day after receipt of aid, if and for so long as the father is not referred to WIN.

.4 Deprivation Due to Unemployment of Mother

When the father is employed 152 or more hours per month, deprivation due to the unemployment of the mother exists only when she:

- .41 Has a satisfactory plan for care of the children, and
- .42 Has the ability to work and to care for the family, and
- .43 Has been in the labor market, and/or
- .44 Has a valid and workable plan for employment.

.5 Penalties For Refusing Employment OR TRAINING

Upon determination that a parent has refused, without good cause, to apply for OR TRAINING or accept employment, the penalty for such refusal shall be:

Effective 7/14/69

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 FOR [LING ADMINISTRATIVE REGULATION] VS
 WITH THE SECRETARY OF STATE
 (Pursuant to Government Code Section 11380.1)

42-340 Unemployment of a Parent (Continued)

42-340

.51 For non-WIN cases

For cases other than those in which the parent has been referred to WIN, aid shall be discontinued effective at the end of the month in which such determination is made and shall not be subject to restoration as an AFDC-U case until the 30 day period specified in section 42-340.22 and all other conditions of AFDC-U eligibility are again met.

.52 WIN cases

For cases where refusal occurs after referral to WIN, ^{FULL} cash payment direct to the family shall be terminated at the end of the month in which the determination is made and payment shall be continued as a protective or vendor payment subject to other conditions attached to the WIN sanction (see section 30-163 AND 44-307.

.6 Discontinuance Due to Employment

.61 Aid shall be discontinued for a family with a parent employed less than 152 hours when the family is no longer needy.

.621 An intraprogram status change (See section 40-183) shall be made for those families discontinued under this provision who meet the requirements for medical assistance for the medically needy.

.62 Aid shall be discontinued effective at the end of the month in which the AFDC-U parent has received pay for at least 35 hours work in that month in employment which is expected to provide 152 or more hours of work ~~THE FOLLOWING~~ month.

.621 The notification of discontinuance on Form ^(ABC) 239 shall clearly indicate:

a. That the action ~~IS~~ based on an expectation the parent ~~will~~ work 152 or more hours in the next month, and

b. That the discontinuance ~~will~~ be withdrawn if the parent submits information substantiating that less than 152 hours ~~ARE~~ actually worked, that no offer of employment ~~IS~~ refused without good cause, and that other conditions of eligibility for AFDC (including neediness) ~~ARE~~ met. (See 44-331.123)

.7 Readjustment Period

There is no readjustment period. Aid ceases when deprivation due to unemployment ends, ^{PROVIDED} no other basis of deprivation exists.

Effective 7/14/69

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WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

44-103 EXPLORATION OF INCOME POTENTIALS AND INCOME VERIFICATION (Continued) 44-103

AB
APSB
ATD
OAS
AFDC

2 Applicant and Recipient Responsibility

.21 The applicant or recipient, including the person responsible for a child in AFDC, is responsible:

.211 For giving information necessary to income determinations, and

.212 For taking all actions necessary to obtain unconditionally available income.

.22 Income shall be considered unconditionally available if the applicant or recipient has only to claim or accept the income, e.g., relative's offer of a contribution, or OASDI.

.23 Ineligibility for aid results if an applicant or recipient refuses to accept unconditionally available income.

AFDC

.24 In AFDC, the parents and children 16 through 20 years of age are also responsible for applying for or accepting a bona fide offer of employment under a plan of self-support established by the social services system (see sections 30-153 and 30-155).

.241 Refusal without good cause by a parent to apply for or to accept employment shall be subject to the penalties specified for AFDC parents in section 42-340.5.

.242 Refusal without good cause by a child 16 through 20 years of age to apply for or to accept employment, when the child is not in school or has no bona fide educational plan under consideration for implementation within the next three months, shall make the child ineligible for aid and shall result in such child's removal from the family budget unit (see section 44-213.26).

Effective 7/14/69

CONTINUATION SHEET
FOR LONG ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

30-155 RESPONSIBILITIES OF AFDC-U & FG PERSONS IN REGARD TO
EMPLOYMENT

30-155

AFDC

Effective July 14, 1969, regulations in this and subsequent sections are modified to be consistent with sections 42-340 and 44-103.2, also revised effective July 14, 1969.

These revisions extend responsibilities to apply for and to accept bona fide offers of employment, unless there is good cause not to do so, to both parents and to children 16 through 20 years of age who are not in school or training. When ^(Non-WIN) the parent or child is found by the services system to be referable for employment and a plan of self-support is established within the ^{provisions} of Chapter 30-150, subsequent refusal to apply for or accept a bona fide offer of employment, without good cause, results in ineligibility for AFDC as specified in sections 42-340 and 44-103.2. For persons referred to WIN, the penalty for refusal continues to be restriction of the cash payment and other sanctions in accordance with sections 30-163 and 30-175.7.

- 1 Where there is no contraindication of the unemployed father's ability to work and there is reasonable expectation that employment will be available, registration with the California Department of Employment may be required prior to the granting of aid. In no instance shall a California Department of Employment referral be required prior to acceptance of an application.
- 2 Continuing eligibility for aid, where the basis for deprivation is the unemployment of the father is conditional upon his registering with the California Department of Employment.
 - .21 A referral to WIN meets the registration requirement.
 - .22 In non-WIN counties, registration must be made within 30 days of receipt of the initial aid payment except provided in Section 30-153.4
- 3 Unemployed fathers must accept any bona fide offer of employment unless there is good cause for refusal (see Section 30-161). A bona fide offer of employment is a verified offer to a particular father of a specific job at a stated wage.
- 4 A mother who has skills which will provide sufficient income to meet the needs of herself and her children may be required to accept a bona fide offer of employment (Regulation Section 30-155.3) provided that:
 - .41 Such employment would not be detrimental to her welfare or that of her family and an acceptable child care plan is available.
 - .42 That she is capable of meeting both her homemaking responsibilities and the demands of her employment. If the mother's present skill is such that her earnings would not meet the full needs of the family, the county shall determine with her, her interest and capability of increasing those skills so that full self-support can be attained. A determination shall be made as to whether a plan to upgrade her skills is feasible in terms of her becoming totally self-supporting in a relative short period of time as opposed to continued supplementary assistance for a longer period of time or the likelihood of her need to periodically return to the welfare rolls.

Effective 7/14/69

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FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

FINDING OF EMERGENCY

The revisions of the regulations of the State Department of Social Welfare contained in the amendments to Public Social Services Manual Sections 42-340, 44-103, and 30-155 are emergency measures necessary for the immediate preservation of the public health, safety and general welfare within the meaning of the provisions of Section 11421(b) of the Government Code.

The following facts constitute the emergency:

1. As Sections 42-340, 44-103 and 30-155 now stand, they fail to set forth with certainty the consequences of a refusal by the parent of a child receiving Aid to Families with Dependent Children by virtue of the unemployment of the parent, to accept a bona fide offer of employment.
2. The uncertainty described in the foregoing paragraph has resulted in loss of job opportunities to such parents with the double effect of loss of manpower, especially in agriculture, and loss of income which would have reduced or eliminated dependence on welfare payments.
3. Loss of manpower, especially in agriculture during the harvest season, and any failure to take the appropriate lawful steps to reduce or eliminate welfare payments are economically costly and therefore necessarily detrimental to the general welfare of the people of this state.
4. Unless the amendments to the regulations described above are adopted as emergency measures effective immediately upon filing with the Secretary of State, the harvest season will have progressed too far to make the amendments practically effective.

The revisions described above must, therefore, be adopted as emergency measures effective July 14, 1969.

FACE SHEET
 FOL...LING ADMINISTRATIVE REGULAT...S
 WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING

JUL 22 1969

Office of Administrative Procedure

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: July 22, 1969

By:

John C. Montgomery

Director

(Title)

FILED

In the office of the Secretary of State
 of the State of California

JUL 22 1969

At 10:45 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By:

Frank M. Jordan
 Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

DO NOT WRITE IN THIS SPACE

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

CERTIFICATE OF COMPLIANCE
 Under Sec. 11422.1 Government Code

I hereby certify that prior to the adoption of the emergency regulations set forth below Sections 11423, 11424 and 11425 of the Government Code were complied with:

Repeal 44-323.415 filed with Secretary of State March 25, 1969

John C. Montgomery

JOHN C. MONTGOMERY, Director
 STATE DEPARTMENT OF SOCIAL WELFARE

Date July 22, 1969

DO NOT WRITE IN THIS SPACE

FACE SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

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JUL 23 1969

Office of Administrative Procedure

ENDORSED

APPROVED FOR FILING
(GOV. CODE 11380.1)

JUL 28 1969

Office of Administrative Procedure

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: July 28, 1969

By: *John C. M. H.*

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

JUL 29 1969

At 4:31 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: *J. P. M.*
Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

44-265 SPECIAL NEED IN AFDC

44-265

.1 General RequirementAFDC

Allowance shall be made for special need items in addition to basic needs, in accordance with Sections 44-267 through 44-277, when not available without cost.

.2 Items Allowed In Grant

- .21 The cost of items normally included in an assistance budget shall be allowed for payment only through the assistance grant, subject to the limitations of the maximum participating base. Examples of items normally included in an assistance budget are housing, food, clothing and household equipment such as refrigerator, stove, bed, etc.

Critical unmet shelter need may be met without restriction by the maximum participating base when allowed in accordance with regulations in Division 45, Special Provisions For Meeting Unmet Shelter Needs of AFDC Recipients.

- .22 Notwithstanding 44-265.21 above, service-connected expenses of participation in Employment and Rehabilitation Services (Required and Recommended), including expenses of seeking employment or to become engaged in self-employment, shall be allowed as case service costs to the extent required by Section 10-305 and Chapters 30-150 and 31-200.

Effective 9/1/69

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 FOR FILING ADMINISTRATIVE REGULATIONS
 WITH THE SECRETARY OF STATE
 (Pursuant to Government Code Section 11380.1)

44-265 SPECIAL NEED IN AFDC (Continued)

44-265

.3 Ceilings

.31 Transportation costs shall be subject to the conditions and limitations in Section 44-114, Determination of Work Related Transportation Expense.

.32 If no ceiling is established for a special need item, the county shall allow the actual cost up to an amount which it establishes as the reasonable cost in the community for such item.

.4 Needs That Do Not Occur Monthly

The cost of special need items that do not occur monthly shall be allowed in a single month or prorated over several months, dependent upon plans the family is able to make, the total cost of the items and the participating base.

44-267 SPECIAL NEED RELATED TO CHILDREN WHO REQUIRE PROTECTION

44-267

AFDC | The cost of special need items essential to a plan for resolving problems of parental neglect ^{OR} hazardous home conditions shall be allowed. Such items include:

.1 Household equipment and furnishings essential to adequate family living when the family lacks items.

.2 Clothing and household supplies when the family lacks items due to catastrophe.

.3 Moving expenses to correct environmental problems.

AFDC | 44-269 SPECIAL NEED RELATED TO CHILDREN WITH SPECIAL PROBLEMS

44-269

The cost of special need items essential to a plan for rehabilitation of a child with a special problem or essential to a plan for prevention of a special problem shall be allowed.

Effective 9/1/69

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CONTINUATION SHEET
**FOR FILING ADMINISTRATIVE REGULATIONS
 WITH THE SECRETARY OF STATE**
 (Pursuant to Government Code Section 11380.1)

44-271 SPECIAL NEEDS RELATED TO CHILDREN IN FOSTER CARE

44-271

The cost of special need items essential to the plan for the child living in a foster family home or private institution shall be allowed. Such items include:

- .1 Items which are not covered by the foster care rate (See Department Bulletin 630) and not available from other resources without cost:

.11 Additional clothing, including an initial supply of clothing and school or other uniform.

.12 Special diet.

.13 Medical, dental, psychiatric treatment and other related care which is not provided by the agency or institution and is not provided by the Medi-Cal program.

.14 Laundry and ^{SIMILAR HOUSEHOLD} costs associated with additional care of children with special problems, such as enuresis.

- .2 Items which are prerequisite to return of the child to his own home, such as essential furniture, household equipment and supplies.

44-273 SPECIAL NEED RELATED TO FAMILY DISRUPTION

44-273

AFDC | The cost of special need items essential to a plan for resolving problems of family disruption or impending disruption shall be allowed. Such items include:

.1 Expenses involved in securing necessary counseling, such as transportation.

.2 Expenses involved in the establishing or reestablishing of a home for the family.

44-275 SPECIAL NEED RELATED TO UNMARRIED PARENTS AND THEIR CHILDREN

44-275

AFDC | The cost of special need items essential to carrying out the case services plan for the unmarried parent and the child shall be allowed.

AFDC | 44-277 SPECIAL NEED RELATED TO FAMILIES WITH MONEY MANAGEMENT PROBLEMS 44-277

The cost of special need items essential to a plan for assisting a family resolve money management problems shall be allowed.

Effective 9/1/69

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

10-305

(COST OF)
PROVISION FOR SOCIAL SERVICES AND SERVICE-CONNECTED EXPENSES - AFDC ONLY
10-305

.1 General Conditions

Costs of social services and service-connected expenses shall be paid from administrative funds as case service costs under the following conditions:

- .11 The expense is not met from earnings (see Section 44-113.23), and
- .12 The expense is not a basic or special need (such needs are allowed for payment only through the assistance grant - see Section 44-265.21), and
- .13 Provision for the social service or service-connected expense is included by the county in the specific service plan of the family or child, AS REQUIRED BY STATE REGULATIONS.

.2 Applicability

- .21 The cost of providing or obtaining or purchasing social services shall be met to the extent specifically required by the social service administrative and program standards in applicable sections of Division 10 and Division 30 of the state regulations, and to the extent required by Division 31 of the regulations for such social services which the county elects to provide.

- .22 Service-connected expenses incurred by individual families as a consequence of a specific services plan established by the county welfare department:

- .221 Shall be allowed for payment through the grant to the extent that such expenses are required to be allowed as special need, subject to the limitation of the maximum participating base and regulations in sections 44-265 and 44-267 through 44-277,

or

- .222 Shall be met as a services cost from administrative funds, to the extent that such expenses are required by regulations in Division 30 or Division 31.

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Effective 9/1/69

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

SERVICE RECORD

10-306

10-306

The county welfare director shall assure that a service record is maintained which summarizes any requests for Service, the agency's findings regarding the need for Service, the offer and acceptance or rejection of Service, the plan for provision of Service including the review of the plan and program of Service as required by Section 10-304.3 above, the dates between which the case was in active Service status and a description of the actual Services rendered and the goals achieved.

10-307

10-307

RIGHT OF FAIR HEARING

.1 Fair Hearing Requirements in Relation to Services

The county welfare department shall assure the right to request a fair hearing to any applicant or recipient who is dissatisfied with the decision made by staff of the county welfare department, or by an agency or individual providing a social service under contract with the county welfare department, with respect to services (SDSW Regulations, Chapter 22-000 et seq.), including all aspects of the required and recommended social services programs identified in 10-051 and 10-053.

.2 Responsibility for Explaining Fair Hearing Provisions

The right of fair hearing in relation to services, including the required and recommended social service programs, shall be explained to all applicants for or recipients of such services at the time of initial contact with the social services worker. Social service workers shall offer the opportunity for the applicant or recipient to complete a fair hearing request in relation to social services whenever the desire to do so is indicated. (See SDSW Regulations, Chapter 22-000 et seq.)

10-308

10-308

COMPLAINTS

The county welfare department shall make provision for the review and evaluation of complaints about the delivery of services, including the required and recommended services programs, expressed by applicants or recipients who are dissatisfied with treatment received in relation to such services. (See SDSW Regulations, Chapter 22-102.)

Effective 9/1/69

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

The following regulations are repealed effective 9/1/69:

44-279 Special Needs of Persons Engaged in SRS or ETP or Seeking Employment

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FACE SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

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JUL 20 1969

Office of Administrative Procedure

ENDORSEDAPPROVED FOR FILING
(GOV. CODE 11380.1)

JUL 28 1969

Office of Administrative Procedure

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: July 28, 1969

By: John C. M. L.

Director

(Title)

FILEDIn the office of the Secretary of State
of the State of California

JUL 29 1969

At 4:29 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: [Signature]
Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

44-247 SPECIAL NEED FOR TELEPHONE

44-247

AB
OAS

Special need for a telephone is allowed for a recipient who has a telephone or is having a telephone installed provided such recipient is living in an independent living arrangement as set forth in Sections 44-207.1 and 44-208.1.

.1 Allowance of \$4

Four dollars (\$4) a month shall be allowed if the recipient pays the total cost.

.2 Allowance of \$2

Two dollars (\$2) a month shall be allowed when:

.21 The cost of telephone is shared with others.

.22 A pay telephone is used because the recipient has no telephone in his home.

.3 Allowance of cost of telephone installation

If the recipient has no telephone the cost of installation is allowed as a special need.

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Effective 9/1/69

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11180.1)

44-255 SPECIAL NEED FOR LAUNDRY SERVICE

44-255

AB
OAS

A special need for laundry shall be allowed if the recipient takes his laundry to a laundromat or otherwise has his laundry done outside his home.

.1 Allowance of \$4

Four dollars (\$4) a month shall be allowed if the recipient pays the total cost for laundry service.

.2 Allowance of \$3

Three dollars (\$3) a month shall be allowed if others share in the cost of laundry done outside of the home.

Effective 9/1/69

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OR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

The following regulations are repealed effective 9/1/69:

44-249 Special Need for Yard Care

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FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

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(GOV. CODE 11380.1)

JUL 31 1969

Office of Administrative Procedure

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: July 30, 1969

By: John C. Smith

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

JUL 31 1969

At 12:05 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: 10/3/69
Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION AS INCOME
(Continued)

44-111

AFDC/ .475 Child's Income

The only income of a child which may be excluded from consideration as income to the family budget unit is that exempted under Sections 44-111.23 and 44-111.24.

44-113 NET INCOME (Continued)

44-113

AFDC/ .243 Child's Income

Only the amounts exempted under Section 44-111.23 or 44-111.24 may be deducted from a child's income.

Effective 9/1/69

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

41-311 PROPERTY ITEMS TO BE INCLUDED IN EVALUATING PROPERTY WHICH MAY
BE RETAINED (Continued)

41-311

AB
APSB
ATD
OAS
AFDC

.2 Personal Property to Be Included

The following items and any other property items which are not real property and not excluded under Section 41-313.2 are evaluated as personal property and are subject to the limits as set forth in Section 41-307. This includes items subject to purchase or sale under a conditional sales contract.

- .21 Cash, savings accounts, the net market value of securities. For exception in AFDC see SECTION 41-313.261.
- .22 The value of notes, mortgages and deeds of trust. For exception in AB, APSB, ATD, and OAS see Section 41-319.2.
- .23 Burial reserves of any type which have a cash value available to the recipient during his lifetime. (See Section 41-313.219 for burial reserves which are excluded from consideration as personal property.)
- .24 The total amount of funds on deposit in a revocable trust or similar fund.

41-313 PROPERTY ITEMS TO BE EXCLUDED IN EVALUATING PROPERTY WHICH MAY
BE RETAINED (Continued)

41-313

- .261 Any reasonable accumulations resulting from any exempt earned income of a child which is being saved for future education or training or for other future identifiable needs.

Effective 9/1/69

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

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Office of Administrative Procedure

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APPROVED FOR FILING
(GOV. 5982 (1980.1))

AUG - 4 1969

Office of Administrative Procedure

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: July 29, 1969

By: *John C. Z...*

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

AUG 4 - 1969

At 3:45 o'clock 7 M. 1969

FRANK M. JORDAN, Secretary of State

By *[Signature]*
Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

DO NOT WRITE IN THIS SPACE

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

44-209 MINIMUM NEEDS OF RECIPIENTS IN NONMEDICAL OUT-OF-HOME CARE FACILITIES 44-209

AB Needs, as set forth in Section .3 below are considered to be common to every
ATD recipient who is receiving personal care and supervision in a nonmedical out-
OAS of-home care facility including the home of a relative or friend. These needs shall be allowed in the amounts specified for the particular type of care required and received by the recipient. Special needs are not allowed.

Types of care are classified as follows:

.1 Group I - Minimum to Moderate Care and Supervision

A person in this group needs protective environment but limited personal service. He may be able to go out by himself, take care of his own room, and assume responsibility for his own medications, or he may need and receive one or more of the following:

- .11 Assistance in caring for his room, but can manage dressing and personal hygiene;
- .12 Help with medications because of forgetfulness, poor eyesight or shakiness;
- .13 A special room approved by the fire inspector for nonambulatory occupant.

A person receiving care in a Family Care Home Certified by the State Department of Social Welfare or a person receiving care from a parent or an adult child in the home of such parent or child is considered to be in Group I.

.2 Group II - Extensive Personal Care and Supervision

A person in this group needs and receives two or more of the following services or a combination of two or more of the services listed in Group I, plus one or more of the following:

- .21 Help with dressing and personal hygiene;
- .22 Extra care because of incontinence;
- .23 Modified diet and/or help with eating;

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FOR FILING ADMINISTRATIVE REGULATIONS
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44-209 MINIMUM NEEDS OF RECIPIENTS IN NONMEDICAL OUT-OF-HOME CARE FACILITIES (Continued)

44-209

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- .24 Personal supervision in or away from the home because of general feebleness, tendency to wander, unsteadiness, mild mental confusion, mental retardation, etc., or
- .25 Extra care and special services because he is nonambulatory due to poor eyesight or use of mechanical walking aids and requires a room specially approved by the fire inspector for nonambulatory occupancy.

.3 Needs Chart - Recipient Living in Nonmedical Out-of-home Care Facility

Need Items	Group I Minimum to Moderate Care & Supervision	Group II Extensive Care and Supervision
A. Board, room, personal care and supervision.		
Allow charge for care* <u>not to exceed</u>	\$162.00**	\$187.00
Components of maxima		
1) Shelter and utilities		
2) Food		
3) Personal care and supervision, including minimum basic services normally required for licensing.		
B. Personal and Incidental Needs*** (Personal expenses, transportation, recreation, etc.)	\$ 37.00	\$ 23.00
C. Clothing, dry cleaning, extra laundry, shoe repair and other similar needs not normally provided by the facility.	\$ 15.00	\$ 15.00
D. Totals - Based on <u>maxima</u> for board, care and supervision.	\$214.00	\$225.00

* If the charge per month exceeds the specified ceiling, see Section 44-111.422 c.

** A flat \$160 per month is, by statute, the maximum that may be charged for board and care for a recipient in a family care home certified by the State Department of Social Welfare and this amount is to be allowed for each such recipient.

*** If these needs are provided in whole or in part by the facility for an additional service charge, the recipient may need to use all or a portion of this allowance to pay the facility for these services.

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44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION AS INCOME
(Continued)

44-111

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.422 Designated needs within the meaning of this section include:

a. Housing Approved for Federal Rent Supplements under the Housing Act of 1965

When the recipient qualifies for a rent supplement under the Federal Housing Act of 1965, the rent supplement payment made by the federal agency, on behalf of the recipient, to the landlord or sponsor, is disregarded as income. The amount so disregarded shall not exceed the difference between his rent as approved by the FHA and the amount included in the assistance grant for housing.

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b. Prepaid Medical or Hospital Care

A prepaid medical or hospital care plan is not included in the assistance standard but is recognized as a resource in meeting medical needs of the recipient. Accordingly, voluntary contributions which are available only to meet payments on prepaid medical or hospital care for the recipient are disregarded as income.

c. Out-of-Home Care

When the charge for care in a non-medical out-of-home care facility exceeds the state established maximum for Group I or Group II care, (see Section 44-209) county supplementation or voluntary contributions are disregarded as income, subject to the following limitations:

- 1) The county has determined that adequate care for the individual is not available in the community within the appropriate state established maximum and has determined the minimum amount for which adequate care for the individual is available.

When the "minimum amount for which adequate care is available," exceeds the state established maximum for care, as provided in Section 44-209.3, that excess shall be deemed to be for a "service not covered by an assistance allowance" within the meaning of W&IC Section 11010.

The facts supporting the county's determination of the "minimum amount for which adequate care is available" shall be recorded in the county and shall be kept current and available for review by the SDSW upon request.

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44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION AS INCOME (Continued) 44-111

- 2) The total amount of voluntary contributions or county supplementation excluded from consideration as income is the difference between the state established maximum and the minimum amount for which adequate care of the individual is available but not to exceed \$70 a month. (This does not in any way modify the maximum need allowance which can be made for board and care as provided in Section 44-209.3, Section 7. Rather, it represents the maximum amount of voluntary contributions and county supplementation which, in an individual case, shall be excluded from consideration as income when required to meet charges for care which exceed the state established maximum.)
- 3) In determining the amount, if any, which shall be excluded from consideration as income for an individual the county shall consider:
- a) The care and services required and received by the individual.
 - b) The approximate cost in the county of providing minimum but adequate care.
 - c) The services provided by the facility within the basic charge for care and whether it is reasonable to expect that the recipient will use some or all of the allowance he receives for personal and incidental needs to apply on the charge for care. (See item B in Section 44-209.3.)

The exclusion provided in this section does not apply to the recipient who is receiving care in a Family Care Home certified by the State Department of Social Welfare or to the recipient receiving care from a parent or an adult child in the home of such parent or child.

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44-311 STATUTORY MAXIMUM GRANTS - ADULT PROGRAMS

44-311

- AB | .1 Program Grant Maximums
 AID | There are different monthly grant maximums for the various public assistance
 OAS | programs.
 .11 Recipient in Independent Living Arrangement (See Secs. 44-207 and 44-209)

AB | .119 Grant Maximum for the Blind

The grant maximum is \$193.50 unless there is need for attendant care in which case an additional amount up to \$300 a month may be allowed.

AID | .12 Grant Maximum for the Disabled

There is no statutory maximum.

OAS | .13 Grant Maximum for the Aged

The grant maximum is \$188.50 unless there is need for attendant care in which case an additional amount up to \$300 a month may be allowed.

AB | .12 Recipient in Out-of-Home Care (See Secs. 44-209 and 44-211)

AID | .121 Grant Maximum for Recipients in Nonmedical Out-of-Home
 OAS | Care

Maximum grants for recipients who require care in nonmedical out-of-home care facilities are limited by the amounts and controls set forth in the annual State Budget Act. Accordingly, maximum grants for such recipients are limited to minimum needs as specified in Section 44-209.

.122 Grant Maximum for Recipients in a Medical Facility
 Beyond a Temporary Period

Most needs of such recipients are met from the Medi-Cal or Medicare programs or a combination of both. Accordingly, maximum grants for such recipients are limited to minimum need for personal and incidental expenses as specified in Section 44-211.

Effective 7/1/69

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FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

FINDING OF EMERGENCY

The revisions of the regulations of the State Department of Social Welfare contained in Sections 44-209, 44-111, and 44-311 of the Eligibility and Assistance Standards Manual are emergency measures necessary for the immediate preservation of the public health, safety and general welfare within the meaning of the provisions of Section 11421(b) of the Government Code.

The following facts constitute the emergency:

1. The California Budget Act of 1969-1970 makes provision for increasing the need allowances and grants for recipients of Old Age Security, Aid to the Blind, and Aid to the Disabled in out-of-home care to become effective on July 1, 1969.
2. Operators of out-of-home care facilities, recipients and their relatives have been assured that the increase in rates provided by the Budget Act of 1969-1970 would be implemented as soon as legally possible.
3. Chapter 660, Statutes of 1969 (SB 999), an urgency measure effective 7/31/69 provides the legislation which enables the Budget Act of 1969 to be implemented.
4. Any delay in implementation resulting in continued payment of the lower rates even for one month would cause many public assistance recipients to face eviction from out-of-care facilities; such an event would necessarily have an adverse effect on the public health, safety and general welfare.

The revisions described above must, therefore, be adopted as emergency measures effective immediately upon filing with the Secretary of State, and operative July 1, 1969.

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F FILING ADMINISTRATIVE REGULATIONS WITH THE SECRETARY OF STATE (Pursuant to Government Code Section 11380.1)

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Office of Administrative Procedure

ENDORSED

APPROVED FOR FILING (GOV. CODE 11380.1)

AUG 12 1969

Office of Administrative Procedure

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Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: August 11, 1969

By:

Director

(Title)

FILED

In the office of the Secretary of State of the State of California

AUG 12 1969

At 4:36 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By: Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

(1) Repeals Dept. Bulletin 652 (All Aids), Overpayment Adjustment Policies - PSS Regulations 44-333 through 44-335, and

(2) Adopts recodified Sections as follows:

44-333 OVERPAYMENTS - GENERAL

.1 Definitions

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.11 Overpayment

Overpayment occurs if:

.111 The recipient was not entitled to payment because he did not meet eligibility requirements on the first of the month for which a payment was made; or

.112 He was eligible but the amount of the payment exceeded the amount to which he was eligible for that month as determined in accord with Section 44-315. However, if the aid payment in AFDC was less than \$2 in excess of the budgetary deficit, no overpayment occurred.

.12 Overpayment Adjustment

"Overpayment adjustment" is the liquidation of an overpayment by decrease of the aid payment to an otherwise eligible recipient or by a current cash adjustment in the amount which could have been adjusted by the decrease.

Such adjustment is possible only if:

- a. The recipient willfully withheld information (see .151 below), or
- b. The recipient has liquid assets currently available to him which are equal to the proposed adjustment. (See .16 below.)

(See Section 44-335, Action on Overpayments.)

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Recodified 9/1/69

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44-333 OVERPAYMENTS - GENERAL (Continued)

44-333

.13 Adjustment Period

The "adjustment period" is the period during which an overpayment adjustment may be made.

- .131 For the recipient who met his responsibility for reporting, the maximum adjustment period is the two months following the month of overpayment.
- .132 For the recipient who failed to meet his reporting responsibility the "adjustment period" is the two months following discovery of the overpayment (i.e., the month in which the county completes its determination that overpayment has occurred). This period may be extended beyond two months only when the overpayment is one for which there is a right to demand repayment and the recipient has liquid assets available to him which are equal to the additional adjustment to be made. (See Section 44-335.24.)

.14 Responsibility for Reporting Met

A recipient has met his responsibility for reporting facts when:

- a. Within his knowledge and competence, he made prompt and full disclosure of facts material to a correct determination of eligibility and grant;
- b. He had no knowledge of the material facts; or
- c. He was not informed, or was misinformed, by the county with respect to his reporting responsibility.

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44-333 OVERPAYMENTS - GENERAL (Continued)

44-333

.15 Responsibility for Reporting Not Met

A recipient has failed to meet his responsibility for reporting if he willfully or non-willfully withheld pertinent information which it was within his competence to report.

.151 Willfully Withheld Information

"Willfully withheld information" as used herein means the recipient understood his responsibility to report the particular change in his income, need, resources or other circumstances which resulted in the overpayment and consciously decided not to report, to delay reporting or to misrepresent such change for the purpose of obtaining or retaining the overpayment.

Situations involving a willful withholding of information include but are not limited to those where the recipient willfully delayed reporting material

information until after he had utilized his income or resources for other purposes, his intent being to avoid a grant discontinuance or grant reduction for overpayment.

.152 Non-Willfully Withheld Information

"Non-willfully withheld information" as used herein means the recipient understood his general responsibility to report but either failed to report or delayed reporting because he did not understand the significance of the unreported facts in relation to the determination of his eligibility or grant.

.16 Liquid Assets

"Liquid assets," as used herein, means resources which are immediately available, or can be made immediately available, for support during a future period of grant reduction to adjust an overpayment, or for a current cash adjustment or repayment. This includes cash or negotiable stocks or bonds but excludes any portion of the income or public assistance grant(s) to which the recipient was eligible in the month(s) of overpayment or to which he will otherwise be eligible in the month(s) of adjustment and which will be required to meet need under the appropriate assistance standard.

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44-333 OVERPAYMENTS - GENERAL (Continued)

44-333

Income which was appropriately exempt from consideration in determining the public assistance grant is included in the evaluation of liquid assets if still available to the recipient and if not exempt for a specific purpose, i.e., to further a plan of self-support.

The cash surrender value of insurance, mortgages, trust deeds, the market value of household furnishings and personal effects, automobiles, real property, etc., shall not be considered liquid assets. In AFDC liquid assets essential to a plan for rehabilitation of self-support shall not be considered immediately available for support, current cash adjustment or cash repayment.

.17 Balancing

Balancing is the liquidation of all or a portion of an overpayment which is subject to adjustment or repayment by applying it against underpayment for which retroactive aid would otherwise be required.

.18 Grant Offset

Grant offset is a method of liquidating an overpayment for which there is a right to demand repayment by withholding from the individual who has liquid assets, future aid payments to which he would otherwise be eligible. (See Section 44-335.24.)

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44-333 OVERPAYMENTS - GENERAL (Continued)

44-333

.2 Prevention of Overpayments

Prevention of overpayments is a primary program objective. To promote achievement of this objective it is essential that:

- a. Applicants and recipients receive frequent and complete explanations regarding methods of grant computation, factors which may cause ineligibility or overpayment such as increases in income or resources, decreases in need, etc., and their responsibility to report such changes immediately, and
- b. Prompt, appropriate action be taken by the county following any reported change which may affect the individual's eligibility or the amount of grant to which he is eligible. Explanations to recipients may be verbal, written or by both methods when necessary to help assure understanding. Frequent reminders should be given to recipients of their responsibility to report changes in need, income or resources promptly and before such income or resources are utilized for other purposes. (See Section 40-173.5.)

.3 Investigation of Overpayment

When an overpayment may have occurred, a determination is made as to whether overpayment actually occurred. If so, the following determinations are made:

- .31 The period and amount of overpayment.
- .32 The eligibility or grant factors which were involved. (See Section 44-335.1 below.)
- .33 Whether the recipient met or failed to meet his responsibility for reporting facts and if he failed to meet this responsibility, whether he "willfully withheld information." (See Sections .14 and .15 above.)
- .34 The amount of liquid assets currently available to the recipient.
- .35 The appropriate adjustment period for the overpayment and the amount, if any, of the overpayment subject to adjustment within the adjustment period.
- .36 The amount, if any, for which there is a right to demand repayment.
- .37 What portion, if any, of the overpayment should be balanced against underpayment for which retroactive aid would otherwise be required. (See Section 44-335.21.)

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44-335 ACTION ON OVERPAYMENTS

44-335

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The objectives of these regulations are to:

- a. Safeguard the expenditure of public funds by providing reasonable methods for adjusting or otherwise liquidating overpayments, and
- b. Assure that no recipient (other than one who willfully withheld material information) is, as the result of an overpayment adjustment, left with insufficient grant, income or resources to meet his ongoing needs under the assistance standard.

Overpayment as defined in Section 44-333.11 above may or may not be subject to liquidation in whole or in part by balancing against underpayment, by grant decrease or current cash adjustment in the adjustment period, by cash repayment, grant offset or, in some instances, by a combination of these methods. *The circumstances* which determine the amount, if any, of an overpayment subject to adjustment in the adjustment period or the amount, if any, for which there is a right to demand repayment and the appropriate action including method or methods of liquidating the overpayment are set forth in the following subsections.

.1 Determination of Amount of Overpayment Subject to Adjustment and/or Repayment

When aid is discontinued at the end of the month in which the recipient becomes ineligible to any grant, right to demand repayment of any overpayment in that month does not exist. In other situations the amount of an overpayment, if any, subject to adjustment in the adjustment period by grant reduction or by current cash adjustment and the amount for which there is a right to demand repayment are dependent upon the grant and eligibility factors involved, whether the recipient met his responsibility for reporting facts and the liquid assets available to the recipient.

.11 Overpayment Due to Change in or Incorrect Determination of Need or Income

.111 Recipient Met his Reporting Responsibility (See Section 44-333.14.)

The overpayment is subject to adjustment in the adjustment period, i.e., the two months following the month of overpayment ^{provided} the amount so adjusted shall not exceed the liquid assets available to the recipient at the time he is informed of the adjustment to be made.

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44-335 ACTION ON OVERPAYMENTS (Continued)

44-335

Right to demand repayment of any balance of the overpayment does not exist.

- .112 Recipient Failed to Meet His Reporting Responsibility - Did Not Willfully Withhold Information (See Sec. 44-333.152)

The overpayment is subject to adjustment in the adjustment period, i.e., the two months following the month of discovery of the overpayment ^{provided} ~~but~~ ^{so} the amount adjusted shall not exceed the liquid assets available to the recipient at the time he is informed of the adjustment to be made.

Right exists to demand repayment of any unadjusted portion of the total overpayment.

- .113 Recipient Failed to Meet His Reporting Responsibility - Willfully Withheld Information (See Sec. 44-333.151)

The total overpayment regardless of the period over which it accrued or the liquid assets available to the recipient at the time the overpayment is discovered, is subject to adjustment as fully as possible in the adjustment period, i.e., the two months following the month of discovery of the overpayment (see Section 44-333.131.)

Right exists to demand repayment of any unadjusted portion of the total overpayment.

- .12 Overpayment Due to Excess Property (Including Real Property, property reserve or, in AFDC, personal property - See Section 41-307.)

- .121 Recipient Met His Reporting Responsibility

No portion of the overpayment is subject to adjustment in the adjustment period.

Right to demand repayment of the overpayment does not exist.

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Recodified 9/1/69

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44-335 ACTION ON OVERPAYMENTS (Continued)

44-335

.122 Recipient Failed to Meet His Reporting Responsibility -
Did Not Willfully Withhold Information (See Sec. 44-333.152)

The overpayment, regardless of the period over which it accrued, is subject to adjustment as fully as possible in the adjustment period, i.e., the two months following discovery of the overpayment, within the following limits:

- a. The amount of overpayment subject to adjustment (and/or repayment) is the highest amount of the excess property on any day during the total period of ineligibility or the amount of aid payment for such period whichever is less.
- b. Adjustment by grant reduction or current cash adjustment in the adjustment period shall not exceed the liquid assets available to the recipient at the time he is informed of the adjustment to be made.

Right exists to demand repayment of any unadjusted portion of the repayment due.

.123 Recipient Failed to Meet His Reporting Responsibility -
Willfully Withheld Information (See Sec. 44-333.151)

The amount of overpayment subject to adjustment and/or repayment is the total amount of aid payment for every month in which there was ^{excess} property on the first of the month. The total overpayment, regardless of the period over which it accrued and regardless of whether the recipient has liquid assets, is subject to adjustment to the greatest extent possible in the adjustment

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44-335 ACTION ON OVERPAYMENTS (Continued)

44-335

period, i.e., the two months following the month of
discovery of the overpayment.

Right exists to demand repayment of any unadjusted portion of the total overpayment.

Interpretation - For purposes of this section, the amount of excess property is determined as follows:

- (1) "Excess property reserve" is the amount by which the sale value of real and personal property plus any cash holding included in the property reserve, exceeds the maximum allowable. (See Section 41-307.13.)
- (2) "Excess personal property" is the amount by which the market value of personal property exceeds the maximum allowable.
- (3) "Excess real property" is that amount of the total market value (sale value less encumbrances of record) which is proportionate to the amount by which the assessed value of the property exceeds the maximum allowable. (See Section 41-307.12.)

.13 Overpayment Due to Factors Other Than Need, Income or Property

.131 Recipient Met His Reporting Responsibility

No portion of the overpayment is subject to adjustment in the adjustment period. Right to demand repayment does not exist.

**.132 Recipient Failed to Meet His Reporting Responsibility -
Did Not Willfully Withhold Information (See Sec. 44-333.152)**

The total overpayment, regardless of the period over which
it accrued, is subject to adjustment in the adjustment
period, i.e., the two months following the month of
discovery of the overpayment, ^{provided} ~~but~~ the amount so
adjusted shall not exceed the liquid assets available
to the recipient at the time he is informed of the
adjustment to be made.

Right exists to demand repayment of any unadjusted
portion of the repayment due.

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44-335 ACTION ON OVERPAYMENTS (Continued)

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.133 Recipient Failed to Meet His Reporting Responsibility -
Willfully Withheld Information (See Sec. 44-333.151)

The total overpayment, regardless of the period over
which it accrued, and regardless of whether the re-
cipient has liquid assets, is subject to adjustment as
fully as possible in the adjustment period, i.e., the
two months following the month of discovery of the
overpayment.

Right exists to demand repayment for any unadjusted
portion of the total overpayment.

.14 Overpayment Due to Two Ineligibility Factors Existing
Concurrently

The amount of overpayment subject to adjustment and/or
repayment is to be based on the single eligibility factor
which resulted in the larger amount of repayment due.

.2 Methods of Liquidating Overpayments

Overpayment subject to adjustment in the adjustment period or
subject to repayment is to be liquidated to the greatest extent
possible in accord with one or more of the following methods as
appropriate.

.21 Balancing of Overpayments

Overpayment which was subject to adjustment or repayment at
the time it occurred may be balanced against underpayment
thereby reducing the overpayment otherwise subject to adjust-
ment or repayment and/or the underpayment for which retroactive
aid would otherwise be required, subject to the following
limitations:

.211 The underpayment was within the adjustment period for
the overpayment and at the time of the underpayment the
recipient had liquid assets equivalent to the amount
to be balanced, or

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44-335 ACTION ON OVERPAYMENTS (Continued)

44-335

- .212 The overpayment was the result of willful withholding of information and the underpayment was within the adjustment period for the overpayment, or
- .213 At the time the balancing determination is made the recipient has liquid assets equivalent to the amount to be balanced.

.22 Grant Adjustment for Overpayment

which is
Overpayment *approved in* subject to adjustment in the adjustment period *and*
Section .1 above which is not being liquidated by balancing against underpayment, is to be adjusted to the greatest extent possible by appropriate reduction in the grant or by current cash adjustment within the adjustment period.

If the recipient has liquid assets in the form of cash, a "current cash adjustment" in lieu of a grant reduction to adjust for the overpayment will frequently be more convenient for the recipient, will be simpler administratively for the county and will help to assure the maximum adjustment possible.

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44-335 ACTION ON OVERPAYMENTS (Continued)

44-335

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.221 Allocation of Adjustment Within Adjustment Period

- a. Whenever feasible and consistent with the requirement that the overpayment be adjusted to the greatest extent possible, adjustment shall be accomplished by spreading the overpayment subject to adjustment, between the two months adjustment period. Adjustment shall be made by decreasing the authorization to zero only when this is necessary to assure adjustment to the greatest extent possible.
- b. When the "adjustment period" for a portion of the overpayment is the two months following the overpayment (see Section 44-333.121) and the "adjustment period" for the balance of the overpayment is the two months following discovery of the overpayment (see Section 44-333.123) there is only one adjustment period, i.e., the two months following discovery of the overpayment.

.222 County or Program Transfers

When there is an intercounty transfer or, in AB, ATC, or OAS, an interprogram transfer between adult programs after overpayment has occurred which would otherwise have been subject to adjustment in the first county or in the first program, such payment is subject to adjustment in the adjustment period from the cash grant to which the recipient is otherwise eligible in the second county or in the second program.

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44-335 ACTION ON OVERPAYMENTS (Continued)

44-335

AB
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AFDC

.23 Repayment of Overpayment

Demand shall be made for repayment of any overpayment for which there is a right to demand repayment (see Section .1 above) provided such overpayment is not being liquidated in full by one or more of the other methods specified in this section.

.24 Grant Offset for Overpayment

.241 When Offset is Used

A recipient from whom there is a right to demand repayment but who is currently eligible and has liquid assets may repay from his liquid assets or be permitted to liquidate repayment due by foregoing aid which would otherwise be paid to him. This latter method is known as "grant offset."

The grant offset method of repayment is used only if:

- a. The recipient possesses liquid assets at the time the amount of overpayment is determined in a sufficient amount to provide support at the rate of the grant which would otherwise be paid during the period of offset, and
- b. The county has determined that "grant offset" better fits the circumstances in the individual case and provides reasonable safeguard of public funds.

.242 Grant Offset for Children in Foster Care

In most foster care cases, the grant offset method is not appropriate. Even though parents of children in foster care have liquid assets the collection method of liquidating a repayment due is usually more reasonable than a grant discontinuance with the parent paying for the child's care.

.243 Amount to Be Offset

The grant offset method of repayment is applicable to the total repayment due, regardless of when the overpayment occurred; i.e., the limitations as to time and amount inherent in the use of the "adjustment period" do not apply.

If the amount of repayment to be offset is less than the amount to which the recipient is currently eligible, a single monthly grant is decreased in the amount of the repayment due.

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44-335 ACTION ON OVERPAYMENTS (Continued)

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AB
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AFDC

.244 Offset Resulting in Discontinuance

a. Amount of Offset Exceeds Amount of Grant

If the amount of repayment to be offset exceeds the amount of the grant to which the recipient is currently eligible, aid is discontinued. The recipient shall be advised in writing of the period over which he is expected to support himself from his liquid assets, and of his responsibility to keep a record of his needs and income during this period, to inform the agency promptly of any changes, and to report to the agency as often as required by the agency.

b. Period Over Which Aid is Discontinued in Offset

The approximate period over which aid is to be discontinued to offset a repayment due is the number of calendar months determined by dividing the repayment amount, or the amount of liquid assets, whichever is lesser, by the amount of grant at the time of discontinuance. If a fractional month results, that portion which is allocable to a fractional month is deducted from the amount of aid otherwise payable in the month of restoration. A case in which the aid of a currently eligible recipient having liquid assets, is discontinued to offset repayment due, shall be controlled as any other collection account.

c. Restoration Requested After Offset Discontinuance

When restoration is requested, the total aid which would have been payable during the period of discontinuance shall be determined on the basis of needs and income during the period of discontinuance. This amount is the amount of overpayment offset by discontinuance. If this amount is less than anticipated at the time aid was discontinued and the recipient is currently eligible, immediate repayment of the amount due is secured or the period of discontinuance is extended accordingly. If the recipient is ineligible for current aid for any reason, immediate effort shall be made to obtain repayment of any unadjusted balance of repayment due.

DO NOT WRITE IN THIS SPACE

Effective 7/1/67
Recodified 9/1/69

DO NOT WRITE IN THIS SPACE

.3 Summary Tables -- Action on Overpayments

.31 Recipient Met His Reporting Responsibility (See 44-333.14)

Overpayment Factors	Grant Adjustment or Current Cash Adjustment in Adjustment Period, i.e., 2 Months Following Month of Overpayment (ADJUSTMENT MAY NEVER EXCEED LIQUID ASSETS AVAILABLE TO RECIPIENT (SEE 44-333.16))	Request for Repayment of Any Overpayment not Adjusted in Adjustment Period
1) Income or need (See Sec. 44-335.111)	2) (a) No Available Liquid Assets --No adjustment allowed (b) Some Available Liquid Assets --Adjust total overpayment that occurred in month immediately preceding adjustment period or amount of liquid assets, whichever is less.	3) No right to request repayment.
4) Excess property (See Sec. 44-335.121)	5) No adjustment allowed.	6) No right to request repayment.
7) Other factors	8) No adjustment allowed.	9) No right to request repayment.

 Effective 7/1/67
 Recodified 9/1/69

44-335 ACTION ON OVERPAYMENTS (Continued)

44-335

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

44-335 ACTION ON OVERPAYMENTS (Continued)

44-335

.32 Recipient Failed to Meet His Reporting Responsibility -- Did Not Willfully Withhold Information (See Sec. 44-333.152)

Overpayment factors	Grant Adjustment or Current Cash Adjustment in Adjustment Period, i.e., 2 Months Following Discovery of Overpayment (ADJUSTMENT MAY NEVER EXCEED LIQUID ASSETS AVAILABLE TO RECIPIENT (SEE 44-333.16))	Request for Repayment of Any Overpayment Not Adjusted in Adjustment Period
1) Income or need (See 44-335.112)	2) (a) No Available Liquid Assets --No adjustment allowed (b) Some Available Liquid Assets --Adjust whichever of following is less and to extent possible in adjustment period: (1) Total overpayment, or (2) Amount of liquid assets	3) Request total unadjusted overpayment.
4) Excess property (See 44-335.122)	5) (a) No Available Liquid Assets --No adjustment allowed (b) Some Available Liquid Assets --Adjust whichever of following is less and to extent possible in adjustment period: (1) Highest excess property during total period of ineligibility, or (2) Total aid paid for such period, or (3) Amount of liquid assets	6) Request unadjusted portion of excess property or aid paid during period of ineligibility, whichever is less.
7) Other factors	8) (a) No Available Liquid Assets --No adjustment allowed (b) Some Available Liquid Assets --Adjust whichever of following is less and to extent possible in adjustment period: (1) Total overpayment, or (2) Amount of liquid assets	9) Request total unadjusted overpayment.

DO NOT WRITE IN THIS SPACE

.33 Recipient Failed to Meet His Reporting Responsibility -- Willfully Withheld Information
(See Sec. 44-333.151)

44-335 ACTION ON OVERPAYMENTS (Continued)

Overpayment Factors	Grant Adjustment or Current Cash Adjustment in Adjustment Period, i.e., 2 Months Following Discovery of Overpayment (LIQUID ASSETS NOT RELEVANT)	Request for Repayment of Any Overpayment Not Adjusted in Adjustment Period
1) Income or need (See 44-335.113)	2) Adjust total overpayment to extent possible in adjustment period.	3) Request total unadjusted overpayment.
4) Excess property (See 44-335.123)	5) Adjust total overpayment (i.e., total aid paid for every month property was excessive) to extent possible in adjustment period.	6) Request total unadjusted overpayment.
7) Other factors (See 44-335.133)	8) Adjust total overpayment to extent possible in adjustment period.	9) Request total unadjusted overpayment.

44-335

Effective 7/1/67
Recodified 9/1/69

CONTINUATION SHEET
1 FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

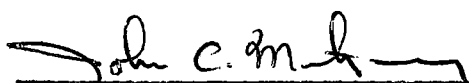
(Pursuant to Government Code Section 11380.1)

CERTIFICATE OF COMPLIANCE
Under Sec. 11422.1 Government Code

I hereby certify that prior to the adoption of the emergency regulations set forth below Sections 11423, 11424 and 11425 of the Government Code were complied with:

Division 10, Administrative Standards for Public Service, filed
with Secretary of State June 26, 1969

30-167.2	Filed with Secretary of State	June 26, 1969
30-167.251	" " "	June 26, 1969
30-167.3	" " "	June 26, 1969
44-101.5	" " "	June 26, 1969
44-111.23 through 44-111.26	Filed with Secretary of State	June 26, 1969
44-113.2	Filed with Secretary of State	June 26, 1969
44-113.23	" " "	June 26, 1969
44-111.422	" " "	August 4, 1969
44-209	" " "	August 4, 1969
44-311	" " "	August 4, 1969


JOHN C. MONTGOMERY, Director
STATE DEPARTMENT OF SOCIAL WELFARE

Date August 11, 1969

DO NOT WRITE IN THIS SPACE

FOILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE VS

(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING

AUG 19 1969

Office of Administrative Procedure

ENDORSED

APPROVED FOR FILING
(GOV. CODE 11380.1)

AUG 19 1969

Office of Administrative Procedure

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: August 11, 1969

By: John C. Smith

Director

(Title)

FILED

in the office of the Secretary of State
of the State of California

AUG 19 1969

At 11:55 o'clock A.M.

FRANK M. JORDAN, Secretary of State

By: John C. Smith
Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

40009. LICENSING JURISDICTION. Persons, corporations or other legal entities are subject to licensing as a residential care home for the aged if they solicit, or receive, any persons 65 years of age or over into a physical setting with the intention or actual assumption of responsibility for their general welfare in addition to the provision of room and board.

(a) Evidence that the establishment is subject to licensing jurisdiction includes the following:

(1) Identification of the establishment and the services offered by any name, description or advertisement which implies care and services to aged people.

Effective 10/1/69

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
F FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

40009 LICENSING JURISDICTION (Continued)

(2) Implied or actual assumption of responsibility for care and well being of aged persons, including awareness of their level of functioning, their appearance and state of health and arranging for needed services.

(b) Excluded from licensing under this chapter are facilities licensed by other state agencies and establishments providing only housing or housing and meals.

Any person, corporation, or other legal entity which proposes to engage, or actually engages, in the assumption of responsibility as defined above shall be subject to licensure and to all the requirements thereof even though it does not provide, or propose to provide, all of the services required as a condition of licensing.

Any person, corporation, or other legal entity which conducts an establishment subject to licensing jurisdiction as defined in this section, in that it receives aged persons for care, but which does not have a license to conduct a residential care home, is subject to prosecution under Welfare and Institutions Code Section 16210 or to injunction proceedings under Welfare and Institutions Code Section 16212 for violation of Welfare and Institutions Code Section 16200.

Effective 10/1/69

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

40011. MINIMUM SERVICES REQUIRED AS A CONDITION OF LICENSING. The issuance of a license is contingent upon:

- (a) Conformity with the rules and regulations of this chapter, and
- (b) An acceptable plan to provide or to arrange for services essential to to the safety, health and welfare of aging persons including all of the following minimum services.
 - (1) Safe and suitable living accommodations (Sections 40381 through 40407).
 - (2) Continuing observations of the physical and mental condition of each resident (Sections 40361, 40363).
 - (3) Three nutritionally well-balanced meals available daily (Sections 40369, 40371, 40373).
 - (4) Personal assistance as needed (Section 40353).
 - (5) Emergency health care including medical treatment and bedside care during temporary illness (Sections 40365, 40367).
 - (6) A program of social-recreational activities (Sections 40375, 40377, 40379).

Services may be expanded provided that such services are in conformity with the regulations of this chapter.

Effective 10/1/69

FOILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

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AUG 21 1969

Office of Administrative Procedure

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APPROVED FOR FILING
(Gov. Code 11380.1)

AUG 22 1969

Office of Administrative Procedure

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

State Department of Social Welfare

(Agency)

Dated: August 19, 1969

By:

John C. Hall

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

AUG 22 1969

At 12:26 o'clock P.M. v.j.

FRANK M. JORDAN, Secretary of State

By: *Frank M. Jordan*
Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

In the Matter of a Demonstration in the
Use of Office of Administrative Procedure
Hearing Officers to Conduct Fair Hearings
in Augmentation of the Services Provided
by State Department of Social Welfare
Referees

ORDER

I

Since the U.S. Department of Health, Education, and Welfare has advised in writing that a waiver of federal public assistance plan requirements under Section 1115 of the Social Security Act is not required in order to utilize employees of another State agency to conduct fair hearings, the State Department of Social Welfare proposes to conduct an experimental project whereby this Department and the Office of Administrative Procedure of the Department of General Services will enter into an agreement under which about 20 percent of all Fair Hearings will be conducted by Office of Administrative Procedure hearing officers, rather than by referees of this Department. The State Department of Social Welfare will assign to the Office of Administrative Procedure Fair Hearings in two geographic regions, one predominantly rural and the other largely urban, but with the understanding that changes may be made at any time to facilitate the administration or to improve the validity of the project. These areas are: (a) The San Joaquin Valley region from San Joaquin County to Kern County, both included; and (b) San Diego and Orange counties. The objective of the demonstration is to develop recommendations for legislative action to amend the present law, as well as the regulations, to enable or authorize the exercise of fair hearing functions in behalf of the State Department of Social Welfare by the Office of Administrative Procedure in the Department of General Services, particularly in cases of exceptional legal difficulty, and in order to reduce or prevent backlogs.

DO NOT WRITE IN THIS SPACE

Effective August 25, 1969

CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

II

In order to conduct and administer the project, it is necessary to waive the enforcement of certain laws and regulations governing the public assistance program for the period August 25, 1969, through June 30, 1970.

III

For the purpose of this project and pursuant to Section 18204 of the Welfare and Institutions Code, I hereby waive the operation of the following statutes and regulations effective August 25, 1969, but only to the degree required by the nature of the project

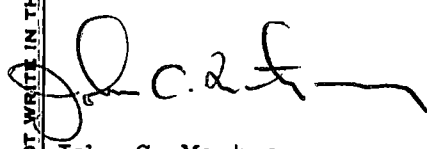
STATUTES W&I CODE

10953 This statute which states "A hearing under this chapter shall be conducted by referees employed by the department, unless the director orders that it shall be conducted by himself or by the administrative advisor of the department in behalf of the director" is modified to permit, in accordance with Government Code Section 11370.3, Office of Administrative Procedure hearing officers to conduct fair hearings in augmentation of the services provided by State Department of Social Welfare referees.

MANUAL OF POLICIES AND PROCEDURES - OPERATIONS22 - 001 Definitions - Fair Hearings

- .6 This regulation which defines Referee as a person assigned by the State Department of Social Welfare to conduct fair hearings and prepare proposed decisions is modified to include Office of Administrative Procedure hearing officers, within the criteria of this project.

DO NOT WRITE IN THIS SPACE



John C. Montgomery
Director

Date: August 19, 1969

Effective August 25, 1969

CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

LEGAL NOTICE

**PROPOSED DEMONSTRATION PROJECT IN THE USE OF OFFICE OF ADMINISTRATIVE PROCEDURE
HEARING OFFICERS TO CONDUCT FAIR HEARINGS IN AUGMENTATION OF THE SERVICES
PROVIDED BY STATE DEPARTMENT OF SOCIAL WELFARE REFEREES**

Since the U.S. Department of Health, Education, and Welfare has advised in writing that a waiver of federal public assistance plan requirements under Section 1115 of the Social Security Act is not required in order to utilize employees of another State agency to conduct fair hearings, the Department of Social Welfare, in cooperation with the Office of Administrative Procedure of the Department of General Services, will conduct an experimental project for a period to begin on August 25, 1969, and end on or before June 30, 1970, to test the feasibility of using Office of Administrative Procedure hearing officers to conduct fair hearings in augmentation of the services provided by Department of Social Welfare referees.

The State Department of Social Welfare will assign to the Office of Administrative Procedure Fair Hearings in two geographic regions, one predominantly rural and the other largely urban, but with the understanding that changes may be made at any time to facilitate the administration or to improve the validity of the project. These areas are: (a) the San Joaquin Valley region from San Joaquin County to Kern County, both included; and (b) San Diego and Orange Counties.

For the purpose of this project and pursuant to Section 18204 of the Welfare and Institutions Code, the following statutes and regulations are modified:

Statutes - Welfare and Institutions Code Section 10953

Manual of Policies and Procedures - Operations

22-001.6 Definitions - Fair Hearing

There will be no additional costs as a result of this project, except those created by differentials in unit costs between the State Department of Social Welfare and the Office of Administrative Procedure.

John C. Montgomery, Director
State Department of Social Welfare

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FOILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING

AUG 27 1969

Office of Administrative Procedure

ENDORSED

APPROVED FOR FILING
(Gov. Code 11380.1)

AUG 27 1969

Office of Administrative Procedure

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true
and correct copy of regulations adopted, or
amended, or an order of repeal by:

State Department of Social Welfare

(Agency)

Dated: August 25, 1969

By: John C. Z...

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

AUG 27 1969

At 12:07 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: J. F. ...
Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

In the Matter of a Demonstration)
 Project on Needs of Older Children)
 Living Away from Home)

ORDER

I

The State Department of Social Welfare will conduct a research project in cooperation with San Diego County, which will explore possible circumstances under which it would be sound and appropriate for an emancipated youth on AFDC to be his own payee. At present, the only circumstances under which an AFDC child or youth may be his own payee occur when a child over 16 receiving AFDC-BHI leaves a foster home or institution to attend a college, vocational or work and training institution when the child is sufficiently mature to handle this responsibility. This project is directed, in part, to understanding the educational/vocational circumstances of AFDC-BHI youth served by the agency, securing as much detail and depth of understanding as time permits. Necessary and desirable living arrangements will be evaluated, along with study of the youth's ability to manage independently various aspects of their lives, including money. These findings will be used to develop guidelines for emancipation, including making the youth his own payee.

II

In order to conduct and administer the project, it is necessary to waive the enforcement of certain laws and regulations governing the public assistance program of Aid to Families with Dependent Children for the period September 1, 1969, through June 30, 1970.

DO NOT WRITE IN THIS SPACE

Effective September 1, 1969

CONTINUATION SHEET
F FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

III

For the purpose of this project and pursuant to Section 18204 of the Welfare and Institutions Code, and having obtained the approval of the Department of Health, Education, and Welfare, I hereby waive the operation of the following regulation effective September 1, 1969, but only in the manner and to the degree required by the nature of the project and limited to the County of San Diego.

MANUAL OF POLICIES AND PROCEDURES - ELIGIBILITY AND ASSISTANCE STANDARDS

44-305 AID PAYMENTS - PAYEE AND DELIVERY

- .13 Within the criteria of this project, this regulation is modified so as to allow the exploration of possible circumstances under which it would be sound and appropriate for an emancipated youth on AFDC to be his own payee.

John C. Montgomery
Director

DATE: August 25, 1969

Effective September 1, 1969

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
F FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

LEGAL NOTICE

PROPOSED PROJECT ON NEEDS OF OLDER CHILDREN LIVING AWAY FROM HOME

With the approval of the United States Department of Health, Education, and Welfare for a waiver of statewideness already received under the provision of Section 1115 of the Social Security Act, the Department of Social Welfare, in cooperation with San Diego County, will conduct a research project for a period to begin on September 1, 1969, and end on June 30, 1970, to explore possible circumstances under which it would be sound and appropriate for an emancipated youth on AFDC to be his own payee. At present, the only circumstances under which an AFDC child or youth may be his own payee occur when a child over 16 receiving AFDC-BHI leaves a foster home or institution to attend a college, vocational or work and training institution when the child is sufficiently mature to handle this responsibility.

For the purpose of this project and pursuant to Section 18204 of the Welfare and Institutions Code the following regulation is modified:

Manual of Policies and Procedures - Eligibility and Assistance Standards

44-305.13 Aid Payments - Payee and Delivery

There will be no additional costs as a result of this project.

John C. Montgomery, Director
State Department of Social Welfare

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FACE SHEET
 FILING ADMINISTRATIVE REGULATION
 WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING

AUG 23 1969

Office of Administrative Procedure

ENDORSED

APPROVED FOR FILING
 (GOV. CODE 11380.1)

AUG 28 1969

Office of Administrative Procedure

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: July 26, 1969

By:

Director

(Title)

FILED

In the office of the Secretary of State
 of the State of California

AUG 28 1969

At 2:12 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

41-103 DEFINITION OF REGULAR SCHOOL OR TRAINING PROGRAM ATTENDANCE

41-103

- .2 Regular attendance in a training program - Participation in a planned coordinated program of work experience, training (including apprenticeship training) and related instructions designed to prepare the child for a vocation. A child 16 through 20 years of age who accepts referral to WIN and otherwise meets conditions established for WIN participants is considered to meet the age requirement from the date of referral, even though actual enrollment in training is precluded by the lack of WIN training slots.
- .5 There is no interruption in eligibility due to age requirement if the child leaves employment or drops out of school or training, provided:
 - .51 The child accepts referral to WIN within 30 days from the dropout date (see Section 30-155.6), or
 - .52 The child has a bona fide educational plan to be implemented within the next three months or at a beginning of the next school term, whichever is later, as determined by the Services System (see Sections 30-152 and 30-155.6).

Effective 10/1/69

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CONTINUATION SHEET
FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

44-213 THE FAMILY BUDGET UNIT (Continued)

44-213

.2 Persons Excluded from the Family Budget Unit

- .21 An unrelated male over the age of 18 living in the home who is not married to the mother and has no children in common with her.
- .22 The unmarried father whose children are ineligible for AFDC.
- .23 The married child.
- .24 Any recipient of OAS, AB, APSB or ATD.
- .25 Adult relatives living in the home when either/or both parent(s) are also in the home unless the only parent in the home is so incapacitated that the relatives' presence is required to give care and supervision.
- .26 The child 16 through 20 (who is not disabled, not regularly attending school or a training program, and not employed and contributing to the family nor saving his earnings under an approved plan.) (see Section 44-103)
- .27 The child and the parent of a child whose eligibility depends on the action of the parent if he fails to cooperate in determining eligibility or with law enforcement officials. (For limitations, see Section 42-519.)
- .28 The child whose exclusive personal property, or the stepfather or relative caretaker other than a parent whose property, when combined with that of persons in family budget unit exceeds the maximum amount allowable (see Section 41-307.6).
- .29 The child and the parent or other related caretaker if the child has income specifically designated for him which meets the needs of the child and caretaker on the AFDC standard (see Section 44-113.2).
- .30 The child whose net income from his own earnings, after applying the earned income exemption (Sections 44-111.23 and 44-111.24) exceeds the usual community rate for room and board plus \$10.00.
- .31 The stepfather, the mother, and the stepfather's children of another relationship living in the home, when his separate income meets their needs. In such cases, the mother's community property interest in his community income, if any, would still be applied to the needs of the AFDC children.

Effective 10/1/69

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CONTINUATION SHEET
I FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

10-072 FORMER AND POTENTIAL RECIPIENTS OF CATEGORICAL PUBLIC ASSISTANCE

10-072

.1 Definitions

- .124b Those who belong to a defined group (e.g.:
migrants; persons who are patients, on leave
of absence, or discharged from state, county
or private mental hospitals where they have
been served at public expense; persons in
danger of requiring mental hospitalization)
in which recipients are heavily represented
when services are provided to such an identified
group on a group basis.

Effective 10/1/69

DO NOT WRITE IN THIS SPACE

FILING ADMINISTRATIVE REGULATION WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

State Department of Social Welfare

(Agency)

Dated: August 29, 1969

By: John C. Smith

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

AUG 29 1969

At 4:15 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By: [Signature]
Assistant Secretary of State

DO NOT WRITE IN THIS SPACE

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DECLARATION OF FORMAL ACTION TO ADJUST GRANT MAXIMA
TO REFLECT COST-OF-LIVING INCREASES

* * * * *

Pursuant to provisions of Sections 12150, 12151, 12650, 12651, 13100, 13101, 13700 and 13701 of the Welfare and Institutions Code, the Consumer Price Index of the United States Bureau of Labor Statistics has been reviewed. The Consumer Price Index for California, adjusted to exclude the medical care component, and computed as directed in the Welfare and Institutions Code is 127.7. The State-wide Index of 127.7 results in a \$6.00 cost-of-living increase for Old Age Security and Aid to Disabled programs, and a \$7.00 increase for the Blind Aid programs effective December 1969. These increases are predicated on an average of the separate indices for Los Angeles and San Francisco as published by the United States Bureau of Labor Statistics for the previously selected base month of June 1969, but with the medical care factor removed separately from each index.

Assembly Bill 1477 passed by the 1969 Legislature requires that cost of living adjustments for 1969 be made to the nearer 50¢ rather than to the nearer dollar. If this bill is signed into law, the cost of living increases specified herein and the computations set forth below are subject to adjustment to \$5.50 for Old Age Security and Aid to Disabled Programs and to \$6.50 for the Blind Aid Programs effective December 1969.

Old Age Security

The percentage increase of the June 1969 Consumer Price Index without the medical care component is 20.71 percent over the December 1961 base of 105.79 which excludes the medical care component. When applied to \$100, the increase is \$20.71; when \$15.00 which has already been given is deducted, the balance is \$5.71. The cost-of-living increase to be effective December 1969, rounded to the nearest dollar is \$6.00.

Blind Aid Programs

The percentage increase of the June 1969 Consumer Price Index without the medical care component is 23.41 percent over the December 1959 base of 103.48, which excludes the medical care component. When applied to \$115, the increase is \$26.92; when \$20.00 which has already been given is deducted, the balance is \$6.92. The cost-of-living increase to be effective December 1969, rounded to the nearest dollar is \$7.00.

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

Aid to the Disabled

The percentage increase of the June 1969 Consumer Price Index without the medical care component is 17.54 percent over the December 1963 base of 108.64 which excludes the medical care component. When applied to \$100, the increase is \$17.54; when \$12.00 which has already been given is deducted, the balance is \$5.54. The cost-of-living increase to be effective December 1969, rounded to the nearest dollar is \$6.00.

Based on the above finding, I, John C. Montgomery, as Director of the State Department of Social Welfare, hereby declare and direct that the maximum grants in the Old Age Security, Aid to the Blind, and Aid to the Potentially Self-supporting Blind programs, and the maximum average grant in the Aid to the Disabled program be increased as set forth below, effective December 1, 1969, subject to adjustment in accordance with Assembly Bill 1477 if this bill is signed into law:

	Increased		Adjusted Pursuant to AB 1477
	From	To	To
Old Age Security, pursuant to Sec. 12150	\$123.50	\$129.50	\$129.00
Old Age Security, pursuant to Sec. 12151	188.50	194.50	194.00
Aid to the Blind, pursuant to Sec. 12650	143.50	150.50	150.00
Aid to the Blind, pursuant to Sec. 12651	193.50	200.50	200.00
Aid to Potentially Self-supporting Blind, pursuant to Sec. 13100	143.50	150.50	150.00
Aid to Potentially Self-supporting Blind, pursuant to Sec. 13101	193.50	200.50	200.00
Aid to the Disabled, pursuant to Sections 13700 and 13701 (<u>Average</u> grants computed statewide for all recipients)	115.50	121.50	121.00


Director

Date August 29, 1969

DO NOT WRITE IN THIS SPACE

DEPARTMENT OF SOCIAL WELFARE

2415 FIRST AVENUE, P.O. BOX 8074
SACRAMENTO 95818



August 29, 1969

Secretary of State
State Capitol, Room 117
Sacramento, California 95814

Gentlemen:

Attached are five copies of the Declaration of Formal Action to Adjust Grant Maxima to Reflect Cost-of-Living Increases for all adult programs, to be filed in accordance with Sections 12150, 12151, 12650, 12651, 13100, 13101, 13700 and 13701 of the Welfare and Institutions Code. This document was signed by the Director of Social Welfare August 29, 1969.

This declaration is to be filed with the Secretary of State to become effective December 1, 1969.

Very sincerely yours,

A handwritten signature in cursive script, reading "John C. Montgomery".

John C. Montgomery
Director

Attach.

DEPARTMENT OF SOCIAL WELFARE

2415 FIRST AVENUE, P.O. BOX 8074
SACRAMENTO 95818



September 2, 1969

Secretary of State
State Capitol, Room 117
Sacramento, California 95814

Gentlemen:

Attached are five copies of the Declaration of Formal Action to Adjust Grant Maxima to Reflect Cost-of-Living Increases for all adult programs, to be filed in accordance with Sections 12150, 12151, 12650, 12651, 13100, 13101, 13700 and 13701 of the Welfare and Institutions Code. This document was signed by the Director of Social Welfare September 2, 1969.

This declaration is a refiling of the declaration that was filed August 29, 1969, with the Secretary of State to become effective December 1, 1969.

Very sincerely yours,

A handwritten signature in dark ink, appearing to read 'John C. Montgomery', followed by a horizontal line.

John C. Montgomery
Director

Attach.

FACE SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

State Department of Social Welfare

(Agency)

Dated: September 2, 1969

By: John C. M. L.

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

SEP - 2 1969

At 3:50 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: [Signature]
Assistant Secretary of State

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DECLARATION OF FORMAL ACTION TO ADJUST GRANT MAXIMA
TO REFLECT COST-OF-LIVING INCREASES

Pursuant to provisions of Sections 12150, 12151, 12650, 12651, 13100, 13101, 13700 and 13701 of the Welfare and Institutions Code, the Consumer Price Index of the United States Bureau of Labor Statistics has been reviewed. The Consumer Price Index for California, adjusted to exclude the medical care component, and computed as directed in the Welfare and Institutions Code is 127.7. The Statewide Index of 127.7 results in a \$5.50 cost-of-living increase for Old Age Security and Aid to Disabled programs, and a \$6.50 increase for the Blind Aid programs effective December 1969. These increases are predicated on an average of the separate indices for Los Angeles and San Francisco as published by the United States Bureau of Labor Statistics for the previously selected base month of June 1969, but with the medical care factor removed separately from each index.

Old Age Security

The percentage increase of the June 1969 Consumer Price Index without the medical care component is 20.71 percent over the December 1961 base of 105.79 which excludes the medical care component. When applied to \$100, the increase is \$20.71; when \$15.00 which has already been given is deducted, the balance is \$5.71. The cost-of-living increase to be effective December 1969, rounded to the nearer fifty cents (.50) is \$5.50.

Blind Aid Programs

The percentage increase of the June 1969 Consumer Price Index without the medical care component is 23.41 percent over the December 1959 base of 103.48, which excludes the medical care component. When applied to \$115, the increase is \$26.92; when \$20.00 which has already been given is deducted, the balance is \$6.92. The cost-of-living increase to be effective December 1969, rounded to the nearer fifty cents (.50) is \$6.50.

Aid to the Disabled

The percentage increase of the June 1969 Consumer Price Index without the medical care component is 17.54 percent over the December 1963 base of

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**CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

108.64 which excludes the medical care component. When applied to \$100, the increase is \$17.54; when \$12.00 which has already been given is deducted, the balance is \$5.54. The cost-of-living increase to be effective December 1969, rounded to the nearer fifty cents, is \$5.50.

Based on the above finding, I, John C. Montgomery, as Director of the State Department of Social Welfare, hereby declare and direct that the maximum grants in the Old Age Security, Aid to the Blind, and Aid to the Potentially Self-Supporting Blind programs, and the maximum average grant in the Aid to the Disabled program be increased as set forth below, effective December 1, 1969:

	Increased	
	From	To
Old Age Security, pursuant to Sec. 12150	\$123.50	\$129.00
Old Age Security, pursuant to Sec. 12151	188.50	194.00
Aid to the Blind, pursuant to Sec. 12650	143.50	150.00
Aid to the Blind, pursuant to Sec. 12651	193.50	200.00
Aid to Potentially Self-supporting Blind, pursuant to Sec. 13100	143.50	150.00
Aid to Potentially Self-supporting Blind, pursuant to Sec. 13101	193.50	200.00
Aid to the Disabled, pursuant to Sections 13700 and 13701 (<u>Average</u> grants computed statewide for all recipients)	115.50	121.00



Director, State Department of Social Welfare

Date September 2, 1969

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FACE SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

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SEP 5 - 1969

Office of Administrative Procedure

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APPROVED FOR FILING
(GOV. CODE (1980.4))

SEP 5 - 1969

Office of Administrative Procedure

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: Sept. 4, 1969

By: John C. Smith

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

SEP 5 1969

At 2:30 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: [Signature]
Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building regulations.

(1) Repeals Chapters 45-100 and 45-120, and (2) adopts recodified sections as follows:

AB DIVISION 45 SPECIAL PROVISIONS

APSB

ATD CHAPTER 45-100 SPECIAL SHELTER PAYMENTS

OAS

AFDC 45-101 PURPOSE

45-101

The purpose of the special regulations set forth herein is to establish a means of meeting, on a limited and short-term basis, certain critical shelter needs of cash grant recipients which could not otherwise be met.

AB 45-103 STATUTORY BASIS FOR THESE SPECIAL REGULATIONS AND INTERPRETATION 45-103

APSB

ATD Chapter 1 (SB 8) adopted by the State Legislature during the First Extraordinary

OAS

Session of the 1968 Legislature includes the following provision which, as the result of an urgency clause, became effective immediately upon signature of the bill by the Governor.

"Section 33.5(a) - Notwithstanding the provisions of Section 21 of this Act, which disqualify a recipient of public assistance under the Senior Citizens Property Tax Assistance Law, the sum of one million dollars (\$1,000,000) from Item 309 of the Budget Act of 1968 shall be allocated by the Controller to the State Department of Social Welfare to meet the unmet shelter needs of public assistance recipients."

This section continues to be operable to the extent that funds are included in the Budget Act.

Because this additional money is limited in amount and is available only on a fiscal year basis, it will be utilized to meet critical short-term and otherwise unmet shelter needs of OAS, AB, APSB and ATD recipients only.

Effective 7/1/69

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CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

AFDC

45-103 STATUTORY BASIS FOR THESE SPECIAL REGULATIONS AND INTERPRETATION 45-103
(Continued)
Chapter 1 (SB 8) adopted by the State Legislature during the First Extraordinary Session of the 1968 Legislature includes the following provision which became effective upon signature of the bill by the Governor and the passage of Proposition 1 A by the electorate.

"Section 33.5 (b) Notwithstanding the provisions of Section 3 of this act which disqualify a recipient of public assistance for the homeowner's property tax exemption, the sum of Five Hundred Thousand Dollars (\$500,000) from the Homeowner's Property Tax Relief Fund shall be allocated by the Controller to the State Department of Social Welfare to meet the unmet shelter needs of public assistance recipients."

This section continues to be operable to the extent that funds are included in the Budget Act.

Because this additional money is limited in amount and is available only on a fiscal year basis, it will be utilized to meet critical short-term and otherwise unmet needs of AFDC recipients only.

AB
APSB
ATD
OAS
AFDC

45-105 PAYMENTS AND AUTHORIZATIONS

45-105

- 11 All payments made under these special provisions will be made as money payments to the recipients and are subject to the general statutes and regulations governing the aid program and to the same federal-state-county sharing formula under which the recipient is receiving assistance, i.e., OAS, AB, APSB, ATD or AFDC except that:
- .11 Payments for home repairs as provided in Section 45-109.21 shall be made only as vendor payments.
- .2 Payments made to or on behalf of a recipient under these special provisions for the OAS, AB or APSB recipient, ^{are not} subject to the statutory grant maxima provided in W&IC Sections 12151, 12651 and 13101, nor are they to be included in determining the average ATD grant as provided in Section 13700, and are not subject to the maximum amount of payment in which there
- Effective 7/1/69

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

45-105 PAYMENTS AND AUTHORIZATIONS (CONTINUED)

45-105

participation
is state financial *participation* in AFDC as set forth in W&IC Section 11450 (a) and Regulation 44-313.

- .3 Payments under these special provisions will be authorized as OAS, AB, APSB, ATD or AFDC payments depending on the assistance program under which the recipient or family is receiving aid.
- .4 Because of the special funding of this appropriation, the authorization and payment procedures will be separated from all other payments.
- .5 Payments under these special provisions will be authorized separately in the same manner as aid payments. Counties may select the option of either authorizing as a separate entry on the regular authorization document (278L or equivalent) or making a separate authorization document for these payments only. In either event "S.S.P." (Special Shelter Payment) shall be clearly indicated in the "Effective Month" column. The action document (278M or equivalent) will be routed through channels for processing and payment from S.S.P. funds.
- .6 To help assure that expenditures under these special provisions do not exceed the funds which have been made available and at the same time assure that recipients with critical unmet shelter needs receive as nearly equal consideration as possible, without regard to where they live in the state, an initial allocation of the state money will be made which includes a minimum allocation of \$2,500 to each county plus an additional amount based on the percentage of the total OAS, AB, APSB and ATD recipients in the county. A small portion of the \$1,000,000 state money will be retained by the state for possible allocation to counties which expend or otherwise encumber their total original allocation and are in need of a supplemental allocation to cover identified critical shelter needs. In AFDC an initial allocation of the state money will be made which includes a minimum allocation of \$500 to each county plus an additional amount based on the ratio of AFDC cases, excluding BHI children, to the state-wide AFDC caseload. A small portion of the \$500,000 State money will

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FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

45-105 PAYMENTS AND AUTHORIZATIONS (CONTINUED)

45-105

be retained by the State for possible allocation to counties which expend or otherwise encumber their total original allocation and are in need of a supplemental allocation to cover identified critical shelter needs.

Information concerning the allocation of funds to each county and claiming procedures will be released by circular letter.

45-107 PROCEDURES, CONTROLS AND RECORDS

45-107

- .1 Procedures will be established by the counties to assure that the funds allocated under these special provisions are being made available promptly and equitably for the purposes intended and for the benefit of those in greatest need. Other assets of the recipient from which the need might be met shall be evaluated and taken into consideration in determining "those in greatest need".
- .2 Controls will be established by the county so that the state share of the amounts authorized, encumbered, and paid is within the funds allocated to the county.
- .3 Procedures will be established by the county to assure that all payments under these provisions are made or authorized or that an appropriate encumbrance is established on or before ^{June 30 of} each fiscal year.
- .4 The county will maintain records showing the individual recipients to whom or on whose behalf payments under these special provisions are authorized, the purpose of the payments, the basis for the determination of critical unmet need, and the total amount of payments to or for the individual recipient. Vendor invoices will be retained when vendor payments are made. The county will retain this information in accordance with the applicable retention schedule.

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I FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

AB
APSB
ATD
OAS
AFDC

45-109 CRITICAL SHORT-TERM SHELTER NEEDS

45-109

Critical short-term shelter needs within the meaning of these special regulations are emergency needs related to shelter of the recipient which, if not met, will in the judgment of the county, result in the loss of otherwise adequate housing or in the recipient remaining in inadequate, unsafe, or otherwise substandard housing. (The designation "recipient" in this chapter includes family).

The county will, in its judgment, determine what constitutes a critical unmet shelter need and will authorize special payments to meet such needs, subject to the limitations set forth in this section and in Section 45-105.

In making judgments as to "critical shelter needs" counties should, whenever possible, use a housing coordinator position on the county staff or other staff position with such specialized responsibility. The coordinator or other staff person should, in turn, work with local housing code enforcement agencies in the determination of priority situations. Further consultation, if needed, may be requested from the State Department of Social Welfare Housing Consultant.

Situations involving "critical shelter needs" for which special payments under these regulations might be appropriate include but are not limited to the following:

1. Recipient in Rental Property

.11 Housing is unsafe or unsanitary or for other reasons does not meet the need of the recipient and a special payment will enable the recipient to improve present housing or move to adequate housing.

.111 The special payment might cover costs such as (a) moving costs, (b) required utility deposits, (c) first and last months' rental or leasing costs, (d) cleaning fees, (e) where clearly required, essential appliances or appliance repairs needed in the

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

45-109 CRITICAL SHORT-TERM SHELTER NEEDS (Continued)

45-109

rental unit, etc., in order to obtain adequate housing which can be paid for on a continuing basis from the grant and other income.

.112 The special payment for shelter might also be used for down payments, closing costs, real estate fees, and other costs entailed in property acquisition or mobile homes up to a maximum of \$500 if:

- a. The property is a suitable home for the recipient.
- b. Approval can be obtained for a FHA, Veterans Administration, or other governmental or conventional loan.
- c. The usual safeguards are observed prior to transfer, i.e., building inspection, property search, termite inspection, etc.
- d. The total monthly amount for payments on the principal, interest, taxes and other liens on the property, insurance and minor maintenance, is not substantially in excess of the cost of rental or leased housing that would be available for the recipient.
- e. The recipient can qualify as a transferee for the encumbrance on the property or approval of a renegotiated loan as set forth in "b" above.

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(Pursuant to Government Code Section 11380.1)

45-109 CRITICAL SHORT-TERM SHELTER NEEDS (Continued)

45-109

.2 Recipient Lives in a Home Owned.21 Vendor Payments for Repairs

Repairs of the home are required to make it habitable and the cost of such repairs cannot be met within usual special need allowances. The limitations set forth in this section are based on specific federal requirements and must be observed when payment is made for home repairs from these special funds.

.211 In allowing special payments under this section (45-109.21), priority should be given to recipients who have not received a substantial special need allowance for housing repairs within the past year. Vendor payment(s), not to exceed a total of \$500 on any home, may be made when all of the conditions set forth below are met:

a. Prior to making any expenditures, the home is evaluated and the following determinations are made by the county:

- (1) The home is so defective that continued occupancy is not safe or is not healthful.
- (2) The property is worth repairing.
- (3) Unless repairs are made the recipient will need to move.
- (4) It appears probable the recipient will be able to continue living in the home following its repair.
- (5) Total cost to the recipient for adequate alternative housing over a two-year period would exceed the following combined costs:
 - (a) The cost of repairs needed to make the home habitable, plus
 - (b) Other probable costs of continued occupancy of such home during a two-year period, i.e., encumbrance payments, taxes, assessments, minor upkeep and insurance.

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WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

45-109 CRITICAL SHORT-TERM SHELTER NEEDS (CONTINUED)

45-109

- b. Expenditures for repairs are authorized in writing by a responsible person in the county department, records show the eligible person in whose behalf the home repair expenditure was made and there is sufficient evidence the repair was performed.
- c. Expenditures for repairs under this section have not been previously allowed on the same property.

.22 Delinquent Payments

Loss of home is imminent because tax, encumbrance, assessment, etc., payments are delinquent. A special payment up to \$500 for any one home might be made if it would save the recipient's home and would not duplicate a grant allowance already made.

.23 Home Modifications

The home is inadequate in size to accommodate the needs of the particular family or individual. In such cases a special payment of up to \$1,000 may be made for expansion or conversion (e.g., a garage to a bedroom).

.3 Recipient in Rental or Owned Property

.31 Supplementation of Basic Shelter Allowance

Basic shelter allowance is insufficient to meet housing costs or have not been met because the family grant is limited to the MPB. The funds made available under these special provisions may be used to supplement a basic housing allowance only in an emergency and then only for a period not to exceed three months. In AFDC, priority shall be given to those families with no outside income.

.32 Home Modifications for Disabled Persons

A recipient or family member is seriously disabled and is in need of special equipment or construction, i.e., hand rails, ramp, etc. These are housing modifications which relate to the condition or situation of the recipient or a family member, as distinct from the property itself. In such cases, a special payment up to \$1,000 on any one home made under these regulations to the recipient provides for installation of the needed equipment or for the recipient, with the permission of a landlord, to arrange to have such equipment installed.

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Effective 7/1/69

CONTINUATION SHEET
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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

FINDING OF EMERGENCY

The revisions and recodification respectively of regulations of the State Department of Social Welfare contained in Chapter 45-100, and 45-120 Division 45 of the Eligibility and Assistance Standards Manual constitute emergency measures necessary for the immediate preservation of the public health, safety and general welfare within the meaning of the provisions of Section 11421(b) of the Government Code.

The following facts constitute the emergency with respect to the action upon the regulations described above:

1. Chapters 45-100 and 45-120 pursuant to authority of Chapter 1 Statutes of First Extraordinary Session of 1968 presently provide funds to meet critical short-term and otherwise unmet shelter needs of recipients of public social services for the 1968/69 fiscal year. These chapters become inoperative on June 30, 1969.
2. The California Budget Act of 1969-1970 provides funds to meet critical and otherwise unmet shelter needs of OAS, AB and ATD recipients for the fiscal year beginning July 1, 1969.
3. Chapter 951, Statutes of 1969 provides that funds appropriated under Item 345 of the California Budget Act to meet critical and otherwise unmet shelter needs shall also be used for aid to families with dependent children.
4. The failure to revise and recodify these regulations as of July 1, 1969 would preclude the utilization of the funds appropriated by the California Legislature for the fiscal year 1969/70 with the result that certain critical shelter needs of recipients would not be met. The failure to provide for such needs would necessarily have an adverse effect on the public health, safety and general welfare.

The revisions and recodification described above must, therefore, be adopted as emergency measures effective immediately upon filing with the Secretary of State, and operative July 1, 1969.

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FACE SHEET
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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

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SEP 17 1969

Office of Administrative Procedure

ENDORSED

APPROVED FOR FILING
(Gov. Code 11380.1)

SEP 17 1969

Office of Administrative Procedure

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

STATE DEPARTMENT OF SOCIAL WELFARE

(Agency)

Dated: September 12, 1969

By: John C. [Signature]

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

SEP 17 1969

At 4:00 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By: [Signature]
Assistant Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

These regulations do not contain any building standards.

44-207

44-207 MINIMUM NEEDS OF RECIPIENT IN INDEPENDENT LIVING ARRANGEMENT-OWN HOME(Cont.)

AB .1 NEEDS CHART - RECIPIENT LIVING IN HIS OWN HOME

ATD .11 Recipient Lives Alone

OAS

Item	Allowance by program		
	AB	ATD	OAS
Minimum needs common to every adult aid recipient	\$ 92.00	\$ 92.00	\$ 92.00
Minimum needs related to age, blindness or disability	28.00	10.00	16.00
Minimum housing need	30.00	--	21.00
TOTAL	\$150.00	\$102.00	\$ 129.00
Housing allowance beyond minimum (Allowed if paid by recipient)	\$ 0-33.00	\$ 0-63.00	\$ 0-42.00
Minimum and maximum ^{1/} need amounts	\$ 150.00 183.00	\$102.00 165.00	\$ 129.00 171.00

^{1/} For exceptions, see Section .21, below.

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(Pursuant to Government Code Section 11380.1)

44-207 MINIMUM NEEDS OF RECIPIENT IN INDEPENDENT LIVING ARRANGEMENT —
OWN HOME (Continued)

44-207

AB
ATD
OAS

.12 Recipient in Shared Living Arrangement

Item	Allowance by program		
	AB	ATD	OAS
Minimum needs common to every adult aid recipient	\$ 92.00	\$ 92.00	\$ 92.00
Minimum need related to age, blindness or disability	28.00	5.00	16.00
Minimum housing need	30.00	-	21.00
TOTAL	\$ 150.00	\$ 97.00	\$129.00
Housing allowance beyond minimum (Allowed if paid by recipient)	\$ 0 - 15.00	\$ 0 - 45.00	\$ 0 - 24.00
Minimum and maximum ^{1/} need amounts	\$ 150.00 165.00	\$ 97.00 142.00	\$129.00 153.00

^{1/} For exceptions, see Section .21, below.

Effective 12/1/69

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

44-208 MINIMUM NEEDS OF RECIPIENT IN INDEPENDENT LIVING ARRANGEMENT - BOARD AND ROOM

44-208

AB
ATD
OAS

1 Needs Chart - Recipient Living in Board and Room Arrangement

Item	Allowances by program		
	AB	ATD	OAS
Minimum needs common to every adult aid recipient	\$ 55.00	\$ 55.00	\$ 55.00
Minimum needs related to age, blindness or disability	19.00	5.00	9.00
Minimum board and room	76.00	--	65.00
TOTAL	\$150.00	\$ 60.00	\$ 129.00
Board and room allowance beyond minimum (Allowed if paid by recipient)	\$ 0 - 26.00	\$ 0 - 87.00	\$ 0 - 37.00
Minimum and maximum ^{1/} need amounts	\$150.00 176.00	\$ 60.00 147.00	\$ 129.00 166.00

^{1/} See exception in .2, below.

Effective 12/1/69

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(Pursuant to Government Code Section 11380.1)

44-311 STATUTORY MAXIMUM GRANTS - ADULT PROGRAMS

44-311

AB | .1 Program Grant Maximums

ATD
OAS

There are different monthly grant maximums for the various public assistance programs.

.11 Recipient in Independent Living Arrangement (See Secs. 44-207 and 44-208)

AB

.111 Grant Maximum for the Blind

The grant maximum is \$ 200.00 unless there is need for attendant care in which case an additional amount up to \$300 a month may be allowed.

ATD

.112 Grant Maximum for the Disabled

There is no statutory maximum.

OAS

.113 Grant Maximum for the Aged

The grant maximum is \$ 194.00 unless there is need for attendant care in which case an additional amount up to \$300 a month may be allowed.

44-315 AMOUNT OF AID (Continued)

44-315

AB | .2 Determining Amount of Aid - Adult Programs

ATD
OAS

The amount of aid is determined by:

- .21 Rounding to the nearer dollar total nonexempt income as determined under Chapter 44-100 and total need as determined under Chapter 44-200 with amounts ending in 50¢ or more rounded to the next higher dollar,

AND

- .22 Subtracting the current nonexempt income from total need or, in OAS and AB, from the statutory maximum for the program if the statutory maximum is less than total need. (See Section 44-311.111 and 44-311.113.)

Effective 12/1/69

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WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

FINDING OF EMERGENCY

The revisions of the regulations of the State Department of Social Welfare contained in Section 44-315.2 of the Public Social Services Manual are emergency measures necessary for the immediate preservation of the public health, safety, and general welfare within the meaning of the provisions of Section 11421(b) of the Government Code.

The following facts constitute the emergency:

1. Chapter 998, Statutes of 1969 (Assembly Bill No. 1477) provides that in computing and paying public assistance in adult aid categories, the need and income amounts used shall be based on the nearest dollar. In order to enable the administrative preparation of the computations and adjustments and the distribution of the necessary information regarding the computations and adjustments prior to December 1, 1969, the Legislature adopted Chapter 998 as an urgency measure.
2. Prompt implementation of Chapter 998 requires modification of Section 44-315.2 to allow the rounding of aid to the nearest dollar effective December 1, 1969 and the dissemination of the revised regulation to the counties at the earliest possible time so as to permit recomputation and adjustment of aid warrants to reach the recipients on December 1, 1969.
3. Any delay in the implementation of Chapter 998 would be contrary to legislative intent manifested by the passage of Assembly Bill No. 1477 as an urgency measure; would leave state regulations in conflict with state law; and would thus necessarily have an adverse effect on the public health, safety, and general welfare of the people of this state.

The revisions described above must, therefore, be adopted as emergency measures effective December 1, 1969.

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